THE HORRIFIC STORY OF ASSAM'S
DARKEST PERIOD

SECRET KILLINGS of ASSAM

Secret Killings of Assam

First Edition, 2009

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To
those
who have lost
everything in this
ongoing mindless
violence

mrinal talukdar

utpal borpujari

kaushik deka

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foreword

It all began on a windy February night at Café Leopold, Colaba, Mumbai. Four of us, who once worked together in Assam, conceived this idea of coming out with a book on the secret killings of Assam, based on the inquiry commission reports.

Although each of us, in our individual journalistic pursuits, has written thousands of words on the secret killings, the rest of India virtually has no clue about the magnitude of this extraordinary series of violence and how it changed the course of socio-political life of Assam forever.

That realization gave birth to this book. As we started working on the book, digging deep into the inquiry commission reports, professional and personal engagements forced two of our friends to leave the project while another joined.

We have deliberately kept it simple and straight to enable the reader to have a bird's eye view of the phenomenon of secret killings, perhaps the first of its kind in the country. Some complicated intricacies and murky details, which may create confusion in the minds of readers have been avoided.

The book is based entirely on the inquiry commission reports tabled by Assam Government on the floor of the Assam Assembly. We did approach

the Assam Police to get their version of the story. But a wall of silence greeted us.

We are grateful to Rajeev Bora and Shrabana Lahiri for encouraging us to take up this challenging project. We are also equally grateful to Biman Arandhara for doing the translation work for the book.

Lastly, we would like to thank those people who helped us during the writing of the book, but preferred to remain behind the screen.

Our basic idea remains that rest of India should know that something of this scale had happened in Assam.

We have taken care to see that facts are not misplaced. We have relied completely on the commission reports for the facts. We regret beforehand for any possible factual mistakes which we might have committed unknowingly.

mrinal talukdar
secretary
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before you start reading…

ULFA: United Liberation Front of Asom (ULFA) was formed on April 7, 1979 by Bhimakanta Buragohain, Rajiv Rajkonwar alias Arabinda Rajkhowa, Golap Baruah alias Anup Chetia, Samiran Gogoi alias Pradip Gogoi, Bhadreshwar Gohain and Paresh Barua at the Rang Ghar, a royal pavilion constructed during the Ahom era in Sibsagar, to establish a "sovereign socialist Assam" through an armed struggle. Despite repeated surrenders by many of its cadre and thousands of other cadres getting killed, rampant unemployment in rural Assam has ensured that their cadre strength remains around 1,500. Their top leaders, most of them allegedly based in Bangladesh, are suspected to be under the wing of Pakistan's ISI. The militant group is ready for discussion with the Government of India, but only when sovereignty is on the agenda. Expert hands in causing bomb blasts and other subversive activities, ULFA is not known for ambush and direct attack. Their influence is now limited to a few pockets of Upper Assam.

SULFA: Since 1991, close to 6,000 ULFA cadres have surrendered before authorities. Majority of

them have found a new life, while another section, exploiting the patronization of past governments, emerged as big businessmen in the state. Those, who have survived the elimination process, are today in big-league business, ranging from construction to media. However, during 1998-2001, exploiting their vulnerability, the security forces used them as a major weapon against ULFA, and sporadically continue to do so.

Unified Command: In Assam, counter insurgency operations are carried out by joint mechanism of Army, Police and Paramilitary forces, which is called the Unified Command structure. At the highest level, Corps Commander of the 4 Corps of the Indian Army and the Assam government get together on a regular basis, setting out policy objectives, and at lower levels the district administration and local military and paramilitary officers coordinate operational matters. Initially an ad hoc arrangement, it was institutionalized in January 1997. The Chief Secretary of Assam is the de-jure head while the Corps Commander of the Army is the actual operational head.

AGP: The Asom Gana Parishad (AGP) is the main Opposition party of Assam. After storming to power after the Assam Accord in 1985 following the six-year-long students' agitation demanding detection and deportation of illegal immigrants from Bangladesh, it lost to the Congress in 1991 when the ULFA was at its peak. In 1996, AGP returned to power and unleashed SULFA against ULFA trigger-

ing a blood bath. The people of Assam, disgusted with such a fratricidal policy, showed the party the door in the next election in 2001 and since then AGP is trying to return to the centre stage.

introduction

secret killings…

There is nothing unusual about these two words. They are just two words in the English language. And of course, most killings are secret.

But for the people of Assam, they are not merely two words. These two words symbolize the darkest period of its political history, a period people would not like to dawn upon the state again.

These two words terrorized and tormented the people of Assam for four years between 1998 and 2001. Every evening, during those four years, these two words brought in shock and horror to innumerable unfortunate souls in every corner of Assam. The nights seemed long and endless and for many there was no sunrise again in their life.

Even today, the mere mention of these two words send shivers down the spines of many, who were witness to many kidnappings and killings. Women became widows, parents lost their sons, sons their fathers and many sisters and brothers could never see their siblings again.

Some are still waiting for the return of their beloved ones. Everyday, they make one meal extra - what if the lost one turns up hungry. There are many who make regular rounds to all nearby hos-

pitals whenever some unidentified bodies are found. A sense of anxiety and nervousness envelopes their face when they remove the corner of the white bed sheet covering the face of the body in the morgue. Relieved that it's not their beloved, they wait for the next news to come.

Police cases were registered. Inquiry commissions were set up. There were endless hearings. But except some general statements and observations, nothing extraordinary came out of it. That was obvious as it was part of a much bigger conspiracy hatched – allegedly - by the state machinery.

And when this conspiracy was exposed, the newspapers of Assam coined this term "Secret Killings" to describe the state-sponsored extra-judicial killings during the period. In fact, the inquiry commission report says "secret killings" mean the extra-judicial killings conducted by the state government using SULFA members and the security forces in the name of counter-insurgency operations. The victims of these killings were relatives, friends and colleagues of ULFA militants. The most apparent justification for the whole exercise was that it was a tit-for-tat response to the ULFA-sponsored terrorism, specially the killings of their old comrades—the SULFAs.

For nearly a decade, since 1998, these two words have guided the politics of Assam. Those who preached "Secret Killing" are today in political wilderness and those who actually practiced it were either eliminated by ULFA or have taken refuge in the comfort of distant land, opening up new businesses.

Riding on the popular sentiment against secret killings, the Congress came to power not once, but twice. They made sure that “Secret Killing” did not fade away from public memory and put it on the backburner only to use it whenever they wanted to keep the Opposition at bay.

Of course, political parties and interest groups gained and lost from secret killings depending on which side they were in. But for the families of the victims it was a loss which could never be compensated. Hundreds went missing. If some were kidnapped, others simply vanished without any trace. Severed bodies of the victims were found hanging from light posts, from the trees, near village ponds, in swamps or on the bank of rivers. Bodies were recovered without head, without limbs. And in some cases only the head was recovered. The bodies recovered were mostly in a decomposed state and beyond recognition.

During those dark years, there was hardly a day when newspapers did not flash reports of kidnappings or recoveries of bodies. In the long chequered political history of Assam, those four years stood out as the darkest. On one side, there was the terror and meaningless violence by ULFA and on the other was the state-sponsored gruesome pogrom by SULFA against the relatives of ULFA.

Both sides were virtually playing ‘holi’ with blood. Sandwiched between them were two crore people of Assam, watching helplessly this maddening saga of revenge. There was no accountability, some ordinary police cases and no investigation. What was shocking was that these killings soon

became just some case numbers for the government. Those who dared to question simply vanished into the thin air. Gradually, the people of Assam started accepting it and got used to the blood bath.

how it all began?

It's difficult to pinpoint as to exactly when these series of killings started. However, the phenomenon came to light with a news report that appeared in the newspapers on June 23, 1999. Our friend Rajib Bora, now the resident editor of The Times of India in Goa, was then working at the Guwahati desk of The Telegraph. He got a tip-off from a friend of his that some mysterious killings were taking place on an embankment situated at Hudumpara near Palasbari on the outskirts of Guwahati city. Although the tip-off did not hint at state-sponsored killings, Rajiv smelt a rat. However, some other responsibilities forced Rajib to stay put in the office and he sent photo journalist Anupam Nath with another correspondent Sankhadeep Choudhury to Hudumpara to follow up the case. In a chance discovery, they found a severed leg near the embankment and Anupam took that famous photograph (see back cover) which not only exposed the gory saga of Secret Killings but documented the whole episode for the first time. The rest was history. The details of how the severed leg was discovered are in the next chapter.

Soon, many more severed legs and heads were found in various parts of the state, especially, in the

Brahmaputra valley. Every killing and subsequent recovery of bodies led to hundreds of people taking to streets. The more prominent killings of Jiten Sharma, Dwijen Haloi, Dr Dharanidhar Das and Dimba Rajkonwar shook the entire state and almost everybody by then had lost faith in the state as well as police forces. It was widely suspected and believed that the then Chief Minister of Assam Prafulla Kumar Mahanta and Inspector General of Police (Operation) of Assam Police G M Srivastava's tough stance against ULFA and tacit support to SULFA had led to these series of secret killings. Their role and involvement have been acknowledged in the Justice Khagendra Nath Saikia Inquiry Commission report and indirectly held them responsible for this act of terror.

The then state government could easily have stopped these killings if they wanted. But they chose not to. They allowed them to go on.

what was the justification?

The main justification behind these killings was that it would be the best method to teach ULFA a lesson. Since ULFA was killing innocent people, SULFA members and party workers of AGP who was in the power then, the ULFA leader's families should be targeted to hit the militants where it hurts most. It did pay off to a great extent.

Although most of the victims of the secret killings were relatives of some of the top ULFA leaders, there were some incidental victims who

were killed just because they happened to be the wrong man at a wrong spot and at a wrong time.

Almost all the killings followed the same pattern. In the name of search operation, SULFA members, aided by security forces, would enter the house of the victim at midnight, pick up their target and then the bodies would be found the next morning. In some cases, they would forcibly enter and gun down everyone who came on the firing line. Some were taken to the police stations, never to return back.

As the public pressure mounted following unrelenting attack by newspapers, the then Chief Minister Prafulla Kumar Mahanta ordered an inquiry. But the Justice Safiqul Haque Commission of Inquiry could not progress much as there was hardly any cooperation from the same authorities which had instituted the commission.

In 2001, thanks to 'Secret Killings', an anti-AGP sentiment swept across the state. As expected, the party was booted out of power paving way for the Congress to come to power with the promise that a proper inquiry would be conducted on the secret killings. They did not wait long to set up Justice Meera Sarma Inquiry Commission.

But the hopes of people of Assam got dashed when Justice Sarma resigned from the commission alleging non-cooperation by the state police. Then came Justice J. N. Sharma to the commission. On November 4, 2003, the Sharma commission started its work. His responsibility was to examine 11 main cases.

After two years, on August 1, 2005, the Sharma

commission submitted its report. But the report could not fix responsibility on anyone, once again because of lack of cooperation from the police as well as the SULFA cadre. It demoralized victims and the ordinary people. The then Chief Minister Tarun Gogoi (currently serving his second consecutive term in office) and his government rejected the findings of the Sharma Commission and the hunt for a tougher and more pro-active retired judge to head another commission of inquiry—the fourth one on Secret Killings—began.

It ended at the gate of retired justice Khagendra Nath Saikia. The septuagenarian was living a near-retired life when he received a phone call from Gogoi's office, urging him to take the responsibility. He initially tried to avoid it pointing towards his advancing age. But the Chief Minister was persistent. A reluctant Saikia finally took up the challenge to find out the truth behind the darkest chapter of Assam's political history.

Justice Saikia was a politician-lawyer in his early years, and as a member of the Uzani Assam Parishad (Upper Assam Council) he always fought against the Congress till he was made a judge of the Guwahati High Court during the Janata Regime in 1977. Since then, he never looked back and retired as a judge of the Supreme Court of India.

The Saikia Commission was notified on August 2005. His brief was to go deep into the main cases and find out the truth. He did go deep into the issue, summoned hundreds of police officers, victims, SULFA leaders and journalists over the course of the two-year-long trial of the most complex and

inter-linked criminal case of the region.

The thin line between the call of duty for the state and extra-judicial killings in the name of revenge got thinner and thinner as the trial progressed, making it a Herculean task for the Commission to distinguish between the two as the suspected perpetrators sought to take refuge in the former. There were even more problems as most of the suspected executioners of secret killings were either eliminated by ULFA or had vanished by then. Yet, the inquiry commission report changed the course of politics in Assam forever.

It also changed the face of Assam Police and SULFA and the faith of the law abiding citizens of Assam in the law and order machinery.

why secret killings?

What actually prompted these killings? Why did the state machinery resort to such extra-judicial killings which almost destroyed the political career of Prafulla Kumar Mahanta and tarnished the image of Assam Police?

There are three main reasons.

First, ULFA was specifically targeting SULFA members, who had surrendered and tried to settle down to new and peaceful lives. But the state never allowed them to have an easy way. They rather used them against ULFA, making them easy targets.

The SULFA members were desperate to hit back as they had both the information about ULFA

movements and, more importantly, illegal arms which they never gave up. The state government exploited the situation and unleashed them creating a Frankenstein which only returned to haunt the state.

Secondly, ULFA was also targeting the grassroots leaders of AGP. There was no provocation and many of them were killed just because they were AGP members. This had angered AGP leadership and they were waiting for an opportunity to hit back.

Thirdly, there was the pressure from the Union Government as well as the Unified Command structure to act decisively. All this led to a series of serial killings under the direct patronage of the then state government of Assam.

The Justice K N Saikia Inquiry Commission report held the state police responsible for its supporting role in the killings. It also pointed finger towards the then Chief Minister Prafulla Kumar Mahanta, who also held the Home portfolio, for his direct and indirect patronage.

Interestingly, the family members of ULFA leaders were killed only after they failed to persuade the militant leaders to surrender. Initially, the family members were threatened by the police and army to bring back their wards to the mainstream. When these threats did not bear fruits, the family members were systematically eliminated by SULFAs.

However, the Inquiry Commission report leaves no doubt that the state machinery and the armed forces were extending full support to the perpetrators of such heinous crimes.

All the secret killings bear striking resemblance to one another. Most of the victims were somehow related to ULFA leaders. Most of the preliminary investigations of the police fizzled out or police put up very weak cases in the final reports.

Barring Dimba Rajkonwar's murder which took place in the evening, most of the victims were killed at midnight and the assailants spoke fluent Assamese which further point's needle of suspicion towards SULFAs. The killers were armed with sophisticated firearms of prohibited bores—mostly available with police and military forces—and masked themselves with black wrappers or caps to avoid being identified.

Most importantly, the regular police patrols in the areas of crime were surprisingly taken off on those days when the secret killings took place. The Saikia Commission report found that there were lurking evidences of a police-SULFA nexus behind these killings. The SULFAs were empowered with extra-constitutional authority and were used as executioners.

"The modus operandi was to visit the family and ask the members to persuade its ULFA members to surrender. If they failed in doing so, a team was sent to survey the location and structure of the house. Then armed and masked men would visit the house, knock at the door, wake up the family members, drag them out and shoot the targets dead. In some cases, they would take away the victim, secretly kill the person elsewhere and dump his body in a secluded place," said the Saikia Commission report.

There was a SULFA angle in each of these killings and most of them were retaliatory in nature. But the Saikia Commission did not look much into this angle. The Commission held the then Chief Minister Prafulla Kumar Mahanta responsible for not being able to restrain the forces under his command, but failed to take notice of the fact that a large number of AGP members were also getting killed during that period. The Commission never found it important to find out the reason behind such extreme provocation which eventually led to secret killings.

The simple deduction that these secret killings were basically a ploy to tame ULFA, did not hold much water. To fight the militant group the Government had the army at its disposal, better equipped than SULFAs. That clearly suggests that the use of SULFAs was not only to counter their former colleagues.

If one goes deep into these cases, there are still some mysterious leads lying unresolved. Take the murder of Dimba Rajkonwar, who was the elder brother of ULFA Chairman Arabinda Rajkhowa. The victim's family, public and the initial police records named three SULFA leaders—Nayan Das, Raju Phukan and Krishna Hazarika—as the culprits.

Even before the start of the inquiry, Nayan Das was killed under mysterious circumstances. Raju Phukan was also shot dead by the army a few days later. The last accused Krishna Hazarika was also mysteriously killed.

Again, for the killings of ULFA leader Mithinga Daimary's family, SULFA leader Abinash Bardoloi

was questioned by police. He too was killed by unidentified gunmen later. Similarly, another SULFA leader Rinku Choudhury, who was involved in several killings in Goalpara district, was also killed under mysterious circumstances.

These SULFA leaders, killed under mysterious circumstance, could have been used by the state police to carry out the Secret Killings.

then who killed them?

There are no direct answers in the Inquiry Commission report. There are reasons to suspect that fearing uncomfortable disclosure before the commission, they were eliminated one by one by the same machinery which had earlier used them against ULFAs.

To substantiate this speculation, SULFA leader J. K. Mahanta, during his submission before Commission, expressed suspicion that that ULFA might not be involved in the murder of SULFA leader Tapan Dutta.

This led to more questions. Why did most of the accused in the secret killings get killed under mysterious circumstances? Who killed them? A proper inquiry to these killings may raise more questions. Why did the Inquiry Commission not bother to look at these leads? It can safely be said that a major chapter of the whole episode was left out deliberately or not touched because the state government did not ask the Inquiry Commission to look into that aspect.

However, what was most heartening was that the people of Assam acted responsibly and with courage. Not only did they take to the streets protesting the killings but also pointed towards the killers and named them also. That was proved in the Inquiry Commission report.

The idea behind this book is not to tell who the real culprits were and who got away with it. Our idea is to tell the world that such a horrific crime took pace in Assam between 1998 and 2001. Every single piece of information used in the book is sourced from the Inquiry Commission report, which was made public.

the photo that blew the lid off the secret killing

that photograph

It was a white ambassador.

Hired from the nearby Nak-kaata pukhuri taxi stand of Guwahati, it was an old, sturdy but reliable car for Indian roads. Going by its reputation of decades, Anupam did not think twice before asking the driver of the ambassador to take him to Palasbari.

Anupam means Anupam Nath, a news photographer now working for Associated Press. He was then working for The Telegraph. With him was Sankhadeep Choudhury in that all-important mission. Their destination was an embankment at Hudumpara near Palasbari on the bank of the Brahmaputra.

Their brief was simple - verify if any mysterious killings were taking place on the embankment adjacent to Dakhola Hudumpur near Palasbari, a small town some 30-odd kilometres south of Guwahati.

Palasbari is a dying town. Once, a thriving business town full of sawmills, half of the town was eroded by the mighty Brahmaputra in the 1970s. As most of the business moved to nearby Mirza town, the old and dying sawmills now stand as testimony to that legacy.

The ambassador by then had already crossed

Maligaon. The assignment puzzled both Anupam and Sankhadeep. How far the tip-off can be relied?

If at all there were some killings, who could be the killers? What was their motive? Could it be a serial killing? Could it be a racket of organ transplantation? Or could it be some ancient ritual?

Anupam had no answer, neither did Sankhadeep.

Their senior colleague Rajib Bora had got the first tip off. He was also confused. A friend, who had been tipped off by an office colleague residing in Hudumpara village, had informed Rajib about these mysterious "happenings". The initial information was that there were some unusual movements those days on the embankment around midnight. Sometimes there used to be cry of people followed by deathly silence. Sometimes there were movement of vehicles and sometimes severed body parts were found. The primary suspicion was that someone was practicing an ancient ritual of human sacrifice. But there was no proof.

Rajib was confident that something really big was cooking and it was too important a lead to be ignored. It could not be just human sacrifice. He knew that this would surely lead to something else. His sixth sense could anticipate something serious.

The pressure of work tied him to the office for the next four days. But when the same friend called him again to narrate the gory details of an incident that had happened just the previous night, he finally decided to visit the ill-fated village next day.

But that was not to be. Some unexpected and sudden pressing office engagement forced him to

stay put at office. So he asked photojournalist Anupam and reporter Sankhadeep to go to Hudumpara and investigate the lead.

And there were Anupam and Sankhadeep, on their way to Hudumpara.

It was a hot noon of June 22, 1999 to be precise. Soon they crossed Gauhati University. As they left the Guwahati city behind, they were hoping that the countryside would bring some relief from the heat. But there was no respite. In fact, to add to their misery, the road was getting worse. But neither the driver nor the passengers were complaining. Only Anupam was holding his trusted Nikon 90X closer to his chest.

He knew that if the story was worth following, then his camera would play a vital role. Whatever be the final report, a solid photograph must back it. On his left, Sankhadeep was on his own world, enjoying the rural landscape.

Rajib was also told by the source that several villagers had, in fact, seen those people but they were masked. They used to hear gunshots followed by a long cry and then deathly silence. Out of fear, nobody dared to venture out and check the origin of the cry. There was no police case, no police investigation. But the incidents were rising, so was the recovery of severed body parts in that area. But the villagers dared not to inform the police.

Outside Hudumpara, throughout Assam, there was an atmosphere of tension, suspicion and mistrust with reports flying thick and fast that SULFAs were targeting the friends and relatives of ULFA leaders.

However, there was no proof, no recovery of body. Could these incidents be linked with that rumour?

More he thought of the case, Anupam was getting more confused. Was he taking too much of risk without knowing the full magnitude of the incident? But that was a challenge every journalist worth his name would like to take up again and again. Anupam did not want to think much and tried to take a nap as the Ambassador was moving slowly on the bumpy road. He knew he had a very long day ahead.

However, not in his wildest dream he ever thought that this assignment would change the course of his life forever.

Back in Guwahati, except Rajib, nobody knew about their journey and the purpose. There were no hurdles on their way till they reached Dakhola Hudumpur. There was no police checking, no unwarranted questions.

Like most villages of Assam, there is nothing significant about Hudumpur. It is a quite large village with several rows of thatched house and a few tin-roofed houses. At first glance it could safely be said that poverty had not touched Hudumpur. Neither did the luxuries of material world.

But how to begin the probe? Where to start from?

The arrival of an Ambassador in the village had already alerted the villagers and the fact that one of the occupant's of the car was carrying a camera immediately raised an alarm.

Both Sankhadeep and Anupam realized that it would be too tough to get anything from the vil-

lagers. The initial moments were extremely depressing with no help forthcoming. Rather, the duo became object of unsolicited attention. The timing was also far from perfect. By the time they reached the village, it was mid-afternoon and most of the men folk were not at home. The sky was also overcast and looked it was going to rain soon.

Both pressed on. They only had one lead, the killings were taking place on an embankment. They did not have much problem in reaching the long embankment. By the time they were on the embankment and started walking towards Palasbari with the mighty Brahmaputra on their left, a sudden gush of cold wind from the river left them a little nervous.

Sankhadeep looked up to Anupam, with his eye clearly urging not to push further. Still they carried on till it started raining forcing them to take shelter in the nearest house.

Before they could find themselves under the cowshed of the thatched house, they were already drenched. There were only a woman and a little girl in that house. There was no male member present at that time. The woman was not very keen to let them in. She pointed towards a small corner between the cowshed and an open fireplace. That was enough for them.

Although they were trying to strike a conversation with the woman but the lady was clearly uncomfortable having two unwelcome visitors in their house. But she could not ask them to leave as the rain was showing no sign of stopping. It was raining for more than an hour.

The lady, despite initial reluctance, showed remarkable strength and hospitality as she offered them tea. Both Sankhadeep and Anupam were waiting for this small opportunity. The tea really helped in turning the environment friendly. Slowly the woman opened up.

Soon, the discussion veered around the mysterious killings and the lady gradually revealed her daily experiences. It turned out that she herself had heard all those cries and saw movements of people and vehicle right next to their house on the embankment. The unsuspecting woman, in fact, told them that there were some killings on the embankments in the past few days but she and her husband were too scared to tell anything to anyone.

That was also the first sign of hope for both Anupam and Sankhadeep. With only an hour to go before sunset, their mission, till then, was a complete failure. Let alone any photographs of severed parts of bodies, they could not get anyone, on the record, to say that some killings took place in the vicinity. The lady was in fact the first one to acknowledge such killings. Sankhadeep pressed on and she went on giving graphic details about the movement of vehicles, firing and then recovery of various parts of bodies.

She said often, in the previous few weeks, at the dead of the night, some vehicles would to come to the embankment, drag a person out and then shoot him dead. Shock and horror could be seen in her eyes and she later confessed that she had suspected both Anupam and Sankhadeep to be part of

the killer gang. The woman and her husband were so scarred they stopped going near the embankments even during the day. As Sankhadeep pestered for more, she pleaded not to tell to anyone about the incident. Sufficiently assured and convinced that her identity would be protected, she revealed that the last incident took place barely a few days before. The terrified family was spending sleepless nights fearing recurrence of similar incidents.

By then the rain had stopped and the sun was back in business. Emboldened by this sudden change of nature and unexpected help from the lady, Anupam and Sankhadeep came out of the house and started walking on the embankment once again looking for some clinching evidence. Anupam was constantly looking at the water and hyacinth expecting something interesting for his lenses. They needed a photograph, which could substantiate what the lady had told them.

After walking for a while, they found a small thatched tent on the embankment and saw three persons discussing something seriously. All the three were shocked to see Anupam and Sankhadeep. They turned out to be employees of the Flood Control Department of the state government and were attendants of the embankment. On being probed about the mysterious killings, they turned silent with one of them even denying the occurrence of any such incident. Their shaky replies, misleading eyes and body language, however, were telling another story. Without wasting much time with them, Anupam moved forward

while Sankhadeep pestered with them unsuccessfully for some more time.

Anupam's sixth sense was telling him that the killings took place on that very spot and they would surely get some evidence. Anupam went searching for any clues as a man possessed.

He was looking for bloodstains or even some body parts and was walking up and down the stream. But there was nothing. Shankhadeep, tired and skeptical, was observing Anupam with amusement. The Brahmaputra was quite broad at that point, perhaps more than a kilometre. On the other side of the river is Sualkuchi. The current of the river on the southern bank near Hudumpur caused severe erosion during the monsoon. The embankment was basically to protect the Palasbari and the surrounding places.

Meanwhile, Anupam reached a dead stream. There was small bamboo-pole bridge over the stream. The steam had a thick cover of water hyacinth on it. He went near and found something in pale white. It was the only unusual thing he could see amidst blue waters and green hyacinth. As he craned his neck, looked at it closely, he could not believe his 'luck'. It was a severed leg of a human being.

With over six feet between him and the object, he was almost certain that it was a leg. Still he wanted to confirm. He was excited, nervous and profusely sweating. He was possessed man by then. He kept aside his camera on the bank, removed his shoes and rolled up his pants and walked into the river to go closer to the leg.

Sankhadeep was aghast. He warned Anupam not to move further. But his words did not reach Anupam who got very close to the object. A cold shrill went down his spine when he realized that he was looking at a white severed soft leg of an adult human, floating just a few feet away from him. For a fraction of a second, he was hesitant. Then he tried to pull the leg out of water with the help of a bamboo stick. But the leg was too heavy. He looked around hoping to get something that could be useful to pull out the leg from water. But there was none. Sankhadeep was too far away for any real help. Anupam went one step closer and after a deep breath, hold the leg with both of his hands and dragged it to the shore.

Sankhadeep, watching from distance, was literally in tears. By that time a villager, returning home with his cows, reached the spot. He demanded to know Anupam's motive. Anupam told him the truth and the man readily came forward for help. And then he took that famous photograph which changed the course of Assam's political history forever.

The villager was unusually frank and he went on to tell that such recovery of decomposed body parts were a regular feature in that area. According to him, some masked people would come in Maruti Gypsy cars, drag the victim out of the vehicle and shoot him dead from close range. Then the body would be chopped into smaller pieces and thrown in to the river. He himself had seen several such pieces, which he said had been swept away by the Brahmaputra.

Anupam and Sankhadeep were dumbfounded. Sankhadeep had the story and Anupam had the photograph. It was time to return. Both had realized the importance of what was achieved.

That was the first time a piece of evidence was found to establish that some mysterious killings were going on all over Assam. Shocked and shaken, they were not talking to each other and returned to the car as quickly as possible, leaving the severed leg on the embankment. Both were in a desperate hurry to leave the place, as they feared the secret killers could be watching or following them.

They had realised that they had hit something big, but none of the two could sense that they had just unearthed one of the most significant chapters of Assam's political history. As responsible citizens, they went to the Palasbari police station and informed the officer-in-charge about the recovery of the severed leg.

When that photograph was splashed on the front page of The Telegraph the next day, all hell broke loose and reporters from every newspaper rushed to the site only to find more body parts.

That was the beginning. On June 24, 1999, newspapers of Assam for the first time used the two words "Secret Killings", as they were unable to solve the mystery. Two days later, a severed head, which was later identified of an ULFA sympathizer of Sualkuchi-Hajo area, was found.

Some SULFA men, with the help of the police, had kidnapped him. It did not take long for the common people to understand who were killing whom. It was long suspected that the state had colluded

with SULFAs to carry out extra-judicial killings. These discoveries of severed parts of the body only confirmed the apprehensions.

And the rest was history.

The lone survivor of secret killing episode- Ananta Kalita

ananta kalita

Unquestionably, this was the most infamous and hair-raising incident of the entire series of cases that were investigated as a part of the Secret Killing inquiry.

This was not a case of killing. This was actually a case of miraculous escape, of someone literally coming out from the jaws of death. In fact, Ananta Kalita was the one and only survivor of the whole secret killing episode.

He was shot from point blank range. The bullet did not miss him. In fact, it went through his skull, but yet, he survived miraculously to tell the horrific story of the secret killing and blew the lid off the whole episode.

His kidnapping, dramatic escape from death and subsequent reports rocked the entire state as for the first time somebody had come back alive to describe the horror behind secret killing. It was from him that the local media and people of Assam came to know about the exact modus operandi of the secret killers and the nexus.

Much before the Justice KN Saikia Commission tabled its report, the people of Assam clearly knew who were behind the whole episode, which could only be compared with the Gestapo forces of the

Nazi Germany. But they had no proof.

This particular incident would put to shade many Hollywood thrillers. Ananta Kalita's whole ordeal was akin to nothing but a crime thriller and it is still beyond anyone's comprehension how he could actually survive despite being shot from point blank range.

Kalita hails from Hajo, a small town, about 40 odd kilometres from Guwahati. He was an active member of the Assam Jatiyatabadi Yuva Chatra Parishad (AJYCP), a radical youth organization which is ideologically closer to ULFA than the All Assam Students' Union (AASU), the other prominent and influential students' body of the state.

He was the only one who was witness to the entire process of abduction and killing by the secret killers. He was the only man, who talked with the secret killers and spent two days of his life in their custody, in the camps of the secret killers.

It all started on the night of September 16, 1998. By then, the whole of Assam had been shaken by the terror of secret killings. Already, kidnappings and killings were going on all over the state. Almost every morning newspapers were carrying news of unidentified bodies being discovered. Most of them were of either ULFA supporters or link men or close relatives of ULFA leaders.

Assam was going through an endless tunnel of darkness. Everybody realized that the State had some role to play in all this. They also realized that the killers had become unstoppable. Everyone realized that law and order had become hostage to a few individuals. Assam was waiting to burst.

In one of such deadly nights, unknown assailants knocked at the door of Kalita. They came in two vehicles. Covering their face with black hoods, the assailants, numbering more than 10, dragged Kalita out of the bed and drove away. Some of the kidnappers had small weapons but they were not brandishing that. The incident took place on the intervening night of September 16-17.

Early in the morning of September 17, 1998, Ananta's brother Mantu Kalita filed an FIR at the Hajo police station informing about the abduction. Two days after the kidnapping, in the morning of September 19, Ananta Kalita arrived at the Maligaon branch of the AJYCP office in an auto-rickshaw. He was profusely bleeding. His head was covered with a cloth. It appeared that a bullet had hit his skull, gone through it and come out just below the left eye. He was not able to speak properly.

who kidnapped him?

That was the most incredible survival story. Despite being injured, he somehow managed to tell the AJYCP office bearers that he was kidnapped and shot by unknown persons atop a hill. He regained consciousness in the morning and somehow managed to reach the road and on a truck he came to Beltola from where he took an auto-rickshaw to come to Maligaon.

The AJYCP officials rushed him to the Guwahati Medical College (GMC) and then he was shifted to

the Guwahati Neurological Research Centre (GNRC). He had to undergo a very long treatment to recover fully and remained a thorn for the perpetrators of the whole series of secret killings, making sure that the mystery was taken to its logical conclusion.

The Hajo police station, acting on the FIR, registered a case (155/99) and started the investigation also. Later, Ananta Kalita filed another FIR in the Basistha police station in southern parts of Guwahati. The Hajo police station later closed the case but it was reopened after pressure from the senior hierarchy of the Assam Police.

Both the cases are still going on. The police collected medical reports of all the hospitals where Ananta Kalita was treated. The opinions of the ballistic experts were also taken. During his treatment, a magistrate also recorded his statement.

The medical report said that a bullet had pierced through his skull and come out just below the left eye without damaging the nerves. Even a fraction of millimeter would have caused fatal injuries to Ananta Kalita.

But he survived.

version of ananta kalita

On the fateful night of September 16, Ananta Kalita was sleeping with his parents and two brothers. Around 2 a.m., he got up hearing some commotion in front of his door. He heard that some people were looking for him and was having a heated

altercation with his elder brother. He could clearly hear that his brother was being beaten up by the group.*1

Unable to handle the situation, his elder brother and some unknown voices called for him asking to open the door of his room. As he opened the door, three persons entered the room immediately. One flashed a torch light on his face while the other slapped him hard. The third ordered him to put on his clothes. In the meantime, one of the three picked up a suitcase and demanded the keys. When Ananta gave him the keys, they opened the bag and took out the educational certificates from the bag.

By then Ananta had put on clothes. He was then dragged out of home. He tried to grab hold of a post on the verandah but the assailants overpowered him He was severely beaten up in front of the whole family, kicked and then dragged out to the road.

On the road, he saw two vehicles. One was a white Maruti Gypsy and the other one was a black Tata Sumo. When he pleaded to know the reason behind his abduction, he was told coldly by one of the occupants that he was being taken to identify a house. By then a couple of neighbours had also come out. He could see that one was carrying a lamp. But the assailants shooed them off and then Ananta was put on the Tata Sumo.

After driving some distance, Ananta was asked to remove his shirt. When he removed it, his eyes were tied with the same shirt and, with a small scurf, his hands were also tied from behind.

He could realize that the vehicle was travelling towards Ramdiya. He could sense the gravel road. He also could sense that the other vehicle was having some trouble as it stopped after honking furiously a few times.

Although Ananta was sitting in the middle of the back row, he was forced to remain hunched out of sight from outside for the whole journey. After some time, the vehicle reached the Bathan police outpost near Sualkuchi police station. He could sense that almost all the occupants of the vehicle went down and a new set of people came in.

The vehicle then took a sharp about turn and drove off only to stop after some time. He guessed that it was a CRPF camp or Assam Police battalion. From another vehicle somebody yelled, “Murga mil gaya ka?” One of the assailants of his vehicle replied in affirmative.

After that, the vehicles drove at a higher speed. The roads were familiar to him, so were the jerks and turns. He could sense that the vehicle was crossing the Saraighat bridge on the river Brahmaputra. He knew that they were going towards Guwahati.

When the driver asked for direction after crossing the bridge, the answer came, “Chandmari.”

In between, the vehicle was stopped by a police picket. The inmates of the car and those on the road exchanged pleasantries. The journey continued and after some time the Chandmari fly-over was crossed. Meanwhile, the other vehicle developed major problem. It was abandoned and all the inmates of the Gypsy came to the Tata Sumo.

The journey finally came to an end and Ananta was dragged out of the Tata Sumo. They took him to the top of a hill and then he was tied with the post of a thatched house. He realized that there was already one unfortunate like him inside the room.

Although blindfolded, he could clearly hear that someone was questioning one Prabin Bodo. The questions were mostly like how may police personnel he had killed and how much money he had extorted and for whom he had been doing all this.

Prabin replied that he had never killed anyone, nor had he collected money on behalf of anyone, but that he had been working for the National Democratic Front of Bodoland (NDFB).

Ananta was kept tied throughout the whole night. He could sense Bodo was also lying nearby. Early in the morning, he could hear movements of heavy vehicles and he could understand that they were not far off from a major road.

In the morning, one of the captors came up to him asking whether he would like to attend nature's call. When Ananta said yes, he was taken to the toilet. His hands were opened but kept blindfolded. After that he was once again brought to the same room and tied again. He could realize that a policeman was speaking in Bodo language to Bodo.

Suddenly, two men entered the room. One slapped Ananta hard, another pushed him. However, the attack stopped when some one pointed out that Ananta was an important case and should be handled with care. By afternoon, his hands and eyes were opened and he was served lunch. As he was cleaning his utensils, he could

see a long thatched house. It looked like a police barrack with rows of police uniforms hanging around. He was allowed to go to the toilet also.

Then, a heavily built man entered the room and straightway attacked Ananta. He was drunk. He was objecting to the fact that his personal room was being used to keep the captives. He, in fact, had an altercation with two men, one of whom was repeatedly referred as “Major”.

The “Major”, however, turned a bit sympathetic towards Ananta and said that security men were always rough. In the evening, he was served early dinner. After dinner, both he and the other captive Bodo were once again tied and blindfolded.

Around midnight Bodo was taken out and Ananta was asked to sleep on a bed. He was later informed by the kitchen boy that Bodo was shot dead and he would be the next victim. When Ananta asked whether he would also be killed, an inmate of the camp informed that he could be released since there was no incriminating evidence found against him. But it all depended on the commanding officer or “Major”.

Ananta spent the scariest night of his life without a minute of sleep. Death was at the door. In the morning, he was given bread and tea. The day was a normal one with every new man at the camp asking him some questions. During the day, he was asked to have bath and there, for the first time, he saw a long hall with 30-40 beds in it. There were four latrines outside.

After the bath, he was once again kept inside the room. Someone came inside and asked

whether he knew one Ataur Rahman. Another asked why he wanted to die. In return, Ananta asked where he was kept. He was informed that it was the operation centre of No 10 and 13 battalion.

On September 18, around 8 p.m., a dark and heavily-built young man entered the room. He identified himself as Fida Gogoi. He told Kalita that he was the leader of the secret killers.

"I am the leader. I can kill or save your life. There is no one above us to decide. We can release you in one condition. You have to kill Rupjyoti (an ULFA militant) in two days". Ananta told that he knew Rupjyoti, who was his neighbour, but had not met or seen him for the past one-and-a-half years. Another captor asked if he knew Hira Sarania (a top ULFA leader). When Ananta replied in the negative, he was told on his face that he would be killed that night.*2

At night, the kitchen boy, who served him dinner, asked him to have some more saying that that would be his last dinner. Ananta was terrified. He could hear somebody was watching the TV serial 'Jai Hanuman' in the adjacent room.

After some time, a youth came in and tied him up firmly with a rope. Then, three-four men entered the room and blindfolded him. His last sight was that one of the captors taking out a Naga dao (a machete) from under the bed.

He was put inside a car and was asked to lie on the floor behind the driver. Another vehicle followed his car. One of the captors whispered to another, "Sir is coming." It was around 12 at midnight. Ananta could guess that they were climbing a hill

and a stream was flowing nearby. One of the captors loudly said that they had reached Dwimukh of Palasbari and from there the road to Chaygaon would be good. But Ananta guessed that they were not near Chaygaon or Palasbari, which were plain areas, because the road was serpentine and was going up.

Finally, the car came to a halt. After a truck crossed the vehicle, Ananta was brought down from the car and dragged along for another 30 feet where his old rope was changed with new rope. The piece of cloth over his eyes was also tightened.

The captors then searched for any mark on his body or any identification paper in his pockets. When they found nothing, he was asked to stand still on the slope of the hill.

There were no noise for a couple of seconds and he could feel cold metal near his temple. He immediately sensed it was the pistol and he pleaded for mercy.

All the captors shouted together, “AJYCP go to hell.” And then there was sound of firing….

Ananta does not remember what exactly happened after that. He only remembers that he was falling down the slope of a hill. After regaining consciousness, he was feeling severe pain and was very thirsty.

He pleaded and cried for water. But there was no one to help. His hands were tied and eyes were tightly shut. He cried for water for almost half an hour but there was no help for him inside the jungle.

He could realize that a bullet had pierced through his head and he was bleeding profusely. But his hands and eyes were all tied up.

Showing unbelievable energy and mental strength, he crawled back and found a stream nearby. He drank plenty of water and regained some strength. He then sat and rubbing his hand against a sharp stone, managed to cut the rope. Removing his eye lid, he covered his wound with the same cloth and crawled up to the road which was not far away.

But as soon as he reached the road, he collapsed again. At that time a Maruti Van approached the spot and Kalita managed to stop the vehicle raising his legs as a signal to stop, so weak he was. The occupants came down. There were two tribal persons. One of them was middle-aged and the other was much younger. Ananta told them that he had been attacked by dacoits. The two men told him that they going towards Shillong and so won't be able to take him to Guwahati, which was in the opposite direction. But they were kind enough to stop a truck and persuaded the driver to carry injured Kalita to, at least Beltola down the hilly area where he could expect some medical help.

The truck driver did bring him to Beltola, the gateway of Guwahati, and, in fact, gave him Rs 10 and arranged for an auto-rickshaw. In a near-unconscious state, the auto-rickshaw brought him to the Maligaon office of the AJYCP from where he was rushed to the Guwahati Medical College Hospital.

the commission's inquiry

This was the most important case of all the major cases of secret killings because only in this case the Commission had the added advantage of a witness. Except Kalita, there was no witness as in all others incidents of secret killings there was no survivor.

Ananta Kalita did inform the Commission as well as previous commissions and police that Ramen Kalita alias Ramen Das, a SULFA leader of Sualkuchi, was involved in his abduction and subsequent attempt to murder. During the abduction, Ramen and his accomplices were sitting inside the vehicle and he could see them. Since then, Ramen Kalita has been absconding and police have not been able to find him out so far.*3

According to Kalita, another accused was Major (actually Subedar Major) Gupteshwar Singh of the Army. Sudebdar Major Gupteshwar Singh has since then retired. He was summoned from New Delhi by the Commission. He replied to his notice but did not face the Inquiry Commission.

The Commission divided the accused into two groups. The first group was of conspirators who assisted in the abduction. The other group was of the main accused who sought to kill Ananta.

Ananta, while giving his statement before the magistrate, even as he was being treated at the Down Town Hospital in Guwahati, said that a group of AJYCP youth had opened the Singimari Multi Purpose Agricultural Farm and it was strongly opposed by both the Hajo and Sualkuchi police sta-

tions. The police suspected that the youth had the backing of ULFA. In fact, more than once, the police came inside the farm, ransacked the whole infrastructure but could not establish a direct link.

When a cow of the farm died unnaturally, the Hajo Police station Officer-in-Charge B K Nath, instead of finding out the culprit, put Ananta Kalita inside the lock up on the charge of harassing other citizens. Kalita also told the Commission that he and his other colleagues of the farm were pressurized to quit AJYCP and instead join Assam Yuva Parishad (AYP), the youth wing of the Asom Gana Parishad (AGP). According to Kalita, this was the prime reason behind his abduction and attempt to kill him in the Jorabat hills along the Assam-Meghalaya border.

The commission did send notices to the then Chief Minister Prafulla Kumar Mahanta, then minister Nurul Hussain, Director General of Police (DGP), IGP (Operation) and other police officials. Mahanta, in his affidavit, said that since there were 365 people who were secretly killed between 1996-2001 and since a petition seeking CBI trial for that period was being heard by the Gauhati High Court, the Inquiry Commission should suspend their inquiry into these case till the matter was not disposed by the High Court. Similarly, Hussain said that since the matter was being investigated by Haq Commission and nothing incriminatory had been found against him and his involvement in the whole episode, the Saikia commission had no jurisdiction over the matter to re-investigate once again. However, the Saikia Commission rejected both petitions.

Later, Ananta Kalita was taken to Jorabat in presence of the magistrate to show the exact spot from where he had made the miraculous escape from the jaws of death. However, he could not spot it despite trying hard for almost a whole day. He also could not show the operation centre of the 10th and the 13th battalion. The 10th Assam Police battalion is located in Kahilipara in southern parts of Guwahati city while the 13th battalion is located at Leelabari, several hundred kilometers away. There was clearly a mix-up of facts.*4

The Commission took him to Kahilipara, where along with the 10th Assam Police Battalion, the 4th Assam Police battalion is also located. But Ananta could not pinpoint the house were he had been kept in confinement for two days. He also could not locate the hill where he was shot. The Maruti van, truck and the auto-rickshaw also could not be found. Appearing before the Commission, Mahanta's counsel S C Khound questioned the veracity of the whole story saying there had been a lot of discrepancies between the shooting and Kalita's eventual journey—he crossed several major hospitals on his way—to the Maligaon AJYCP. Besides, after arriving in Maligaon, Ananta did not narrate the incident to his colleagues. However, the Commission observed that Ananta could not be in a position to explain everything in that condition.

On the last day of hearing of the Commission, Nurul Hussian, former AGP minister, appeared before the Commission. Through his counsel, he informed that he was no way involved with the inci-

dent and the allegation was purely political in nature. According to him, the allegation of his involvement in the whole incident was politically motivated and opposing political forces were using it to finish him politically.

The Commission in its report compared this incident with the atrocities of S.S. Gestapo forces of Hitler. The Commission is of the view that Ananta Kalita was shot at somewhere between Byrnihat to Jorabat. Meanwhile, the then DGP Harekrishna Deka, retired DGP P V Sumanta and IGP (Operation) G M Srivastava also filed affidavits. None of the affidavits rejected the first and the last part of the whole episode but rejected Ananta Kalita's version that he was kept in a barrack where he could see clothes lines with police dresses along with police barrack like situations.

However, the Commission found more weight in Ananta Kalita's version than the combined strength of all other affidavits and counter-affidavits of the AGP leaders and Assam Police officials.

The Commission said that it believed that this abduction could be an attempt to weaken the AJYCP and strengthen the AGP in the Hajo region. The AJYCP has always been seen as a youth organization with covert and overt sympathy for the ideologies of ULFA. The Commission indicted Nurul Hussain and Prafulla Kumar Mahanta in its report and asked the Assam Government to release Rs 5 lakh as compensation to Ananta Kalita for the ordeal he went through.

Angry protestors take out a procession with the bodies of Dwizen Haloi and Pushpa Haloi

umakanta gogoi

The name of the village is No. 2 Borbil Gaon. Situated in a area under the jurisdiction of Kakotibari police station in Sibsagar district of Upper Assam, it is village which could boast of all the beautiful things that one usually associates with a village in Assam. The simple village folk add to the virgin charm of the place. As if the heart of this village beats to the rhythm of the mantra of life. Truly, an ideal village.

Umakanta Gogoi was a resident of this beautiful village. By profession, he was a farmer. A mild-mannered man. He would do the farming himself and sell the part of his produce to run household expenses. Living a simple life was his motto. With his wife Bindra, four daughters—Moni, Mamoni, Jitu and Matu—and son Dhiraj, he had a big family to look after. His family was not that small, though. Eldest daughter Moni had been already married off.

Life was going smooth for the Gogoi family. Happy and content with the small little things of life. But unknown to it, destiny had something cruel in store for the family. The simple Umakanta Gogoi had no inkling about it. Some invisible force had already spread an inescapable net around them and Gogoi's family was simply inching towards it.

What sets this case apart and makes one of the saddest in the series is the fact that Gogoi had not clue at all about the approaching calamity. And then there came a day when the entire family was wiped out of the world.

The day was September 11, 1999. The nights were getting colder and the people of No 2 Borbil village those days had got used to going to the bed early. Gogoi and his family members too had fallen asleep. A little distance away, the families of his brothers Jugal Gogoi and Nomal Gogoi had also retired to bed. Suddenly, the sound of bullets followed by the noise of a bomb blast broke the peace and silence of the sleepy village. The entire village, including Jugal and Nomal, woke up to these sounds which were followed by shouts and screams of some unfortunate souls. They were left startled but no one had the courage to come out and inquire. Everybody waited for the night to come to an end.

Jugal and Nomal came out early in the morning only to find that the firing and the blast had taken place in Umakanta Gogoi's house. There was nobody alive in that house then. Everybody had been reduced to smithereens in the blast and the firing. There was nothing that could have been identified as human bodies. Their body parts lay scattered in various parts of their thatched-roof, bamboo-made house. It was impossible to identify the pieces of flesh. The whole house had burnt down. Only the kitchen had somehow been left intact. The worst view was that of some dismembered hands and legs hanging from nearby tree

branches. The devastating scene had left the neighbours literally speechless. They never had any inkling that the one of the families in the village would meet such horrific end.

The whole area was shaken by the incident. People found out that there was a three-feet deep and 6-7 feet wide crater where Umakanta Gogoi's bed used to be. The bomb had exploded at that spot. Three shells of a radio, three dirty pairs of shoes, a small broken bulb, electricity cables, pieces of clothes and blankets, two cartridges of 9 mm pistol and six pieces of splinter had been found at the spot. The simple villagers had no clue who the killers were. But they understood that this too was part of the chain of secret killings that had been taking place in various parts of Assam. But nobody knew what the fault of this simple family was.

looking for clues

Some clues had been found finally. The Justice Saikia Commission report has reference to these clues. The incident that had shaken up the whole of Assam had its link to another incident that had taken place a little while before. The previous day, that is on September 10, a team of 20-25 killers had killed a youth named Jugal Phukan on the suspicion of that he was a member of ULFA. The killing took place in front of the houses of Niron Gogoi and Phul Gogoi in the same village. Nobody could identify anyone from the gang of killers as they had

wrapped black clothes around their faces. Niron Gogoi also injured one of his legs during this incident. The next day, Niron Gogoi claimed that a bomb had been recovered along with the body of Jugal Phukan. Niron Gogoi also told the officer-in-charge of Kakotibari Police Station that ULFA boys used to frequent Umakanta Gogoi's house. They used to not only have meals at Gogoi's place but also stay there. Soon after this claim, Niron Gogoi was taken to Moranhat for treatment. The bomb recovered from near Jugal Phukan's body was brought to his office by Sibsagar district superintendent of police P K Lohia. Several people, including Lohia and two journalists, died when Lohia was displaying the bomb to a group of local media personnel. The very next night the sensational killing at Umakanta Gogoi's family took place. There was a possibility that Umakanta Gogoi's family had been killed to avenge the death of police personnel.*5

Did ULFA cadre really use to visit Umakanta Gogoi's house?

Did ULFA cadre used to visit the house of this simpleton? The eldest daughter denied such allegations. She told the Commission that many people used to visit their house, and if some among them were ULFA cadre, they were not aware of it. She alleged that Niron Gogoi's confession to police was the reason behind the barbarous act against her family. That confession must have encouraged the killers. SP Lohia had also died in a freak incident. On the other hand, Assam Police and SULFA

had created unnecessary trouble in the whole Borbil area in the name of search operations against ULFA, and this had made Umakanta Gogoi a worried man. In fact, he had told his brother Jugal Gogoi about his apprehensions. But Jugal Gogoi had advised him not to worry and inform the village headman immediately if any untoward incident took place. Significantly, Umakanta Gogoi had told his eldest daughter also about his fears. It is suspected that maybe Gogoi had either inkling about the possibility of such an incident or received some threats. But before he could confirm this, he met with his end.

Indra Borgohain, a popular man of the area, had also told the Commission about the frequent visits of some unknown faces to that area. Some days before this incident, the Army, along with some unidentified civilians, had created an atmosphere of terror in the whole area. Borgohain also said that none from Umakanta Gogoi's family had been linked to ULFA. Still Umakanta Gogoi fell victim to the wrath of anti-ULFA elements.

how did the police play its role?

Surprisingly, the police did not take any step that needs to be taken while investigating such cases. Between 6 and 7 a.m., village headman Rubul Satnami and some others informed the Kakotibari police station about the incident. Initially, they could not meet the officer-in-charge. Around 12:30 p.m., they met him but he refused to visit the crime-spot

saying that there was a problem with his vehicle. Instead, his advice was that the bodies should be brought to Mahmora on a pull-cart or by some other arrangements. This statement was an indicator of th e disinterest of the police to investigate the case. The distance between Umakanta Gogoi's house and the Kakotibari police station was just seven kilometres. It is really mysterious how easily the killers could decimate an entire family at such a location. Also, there was no police patrol that night. That is why the people of the area pointed accusing fingers at the police for this incident, saying that perhaps it could happen because of the links between police and the killer forces. The most surprising thing was that police did not, even for once, interrogate known SULFA leaders of the district, namely Jayanta Hazarika alias Kushal Duari and Mridul Phukan. There were allegations that police did not note down any of the information provided by the witness to the case, Indra Borgohain. From all this, it looked almost certain that the incident had happened because of the SULFA- police-Army nexus.

what the Commission of Inquiry said?

The Commission of Inquiry declared several people guilty for the incident after analyzing several angles. Of particular interest was the fact that police had not launched any probe to find out the weapons or vehicles used in the incident. Though the police searches had looked into the post-inci-

dent scenario, there was no search operations following the incident. There was also ample scope to point fingers to the fact that prior to the incident, SULFA, police and Army personnel had frequently visited the place. The failure to use any modern investigating techniques and the dog squad during the investigations and the administration's failure to send any condolence message to the victim's family could very well indicate that the incident had happened within the very knowledge of people responsible for maintaining law and order. In this regard, the Sibsagar district police administration and SULFA leaders of that place can be blamed. It can be simply said that Sibsagar SULFA leaders Jayanta Hazarika alias Kushal Duari and Mridul Phukan alias Samar Kakoti along with the officer-in-charge of Kakotibari police station and a section of Sibsagar police were involved in this sensational murder. The Commission also expressed the view that neither any member of this unfortunate family had been a member of ULFA nor any ULFA member had taken shelter in that house.*6

NSUI taking out protest processions against secret killings on the streets of Guwahati

jyotish sharma

It was just three days since the New Year had dawned. But in Assam, the initial days of 2001 did not begin in a peaceful manner. All around, there was terror, violence and death. Those were the days when dusk meant deserted roads, simply because of the blood-letting. Even the fast-growing Guwahati city had not escaped that atmosphere of fear.

On January 3, Jyotish Sarma, his wife Anima Devi and daughter Aparna Devi had an early dinner and went to sleep. Sarma, a resident of Nabin Nagar locality at the heart of Guwahati, was an employee of Gauhati University. Around 11 in the night, they woke up hearing somebody knocking on the door and calling out, “Sarma-da, Sarma-da”. As they opened the front door, they saw around six to seven people standing outside, their faced covered in black. As soon as Sarma came out, one of them started questioning him— what is his name, where is he originally from, what is his relationship with Subhash Sarma, was he from Nalbari, and many such questions. Without waiting for the answers, they caught hold of him and told him that he would have to show someone’s house at Chandmari locality, which was around three km from there. The

masked man also gave the assurance that he would be dropped at Chandmari. When Sarma's wife Anima and daughter Aparna protested saying he would not accompany them at this time of the night, the gang threatened them, saying all of them would be shot if they utter anything more. And they dragged Sarma away to a Gypsy standing about 30 yards from the gate of the compound. The Gypsy did not have any number plate. As soon as the car left, Anima and Aparna shouted for help, hearing which neighbours Bhagawan Chandra Haloi and Dhiraj Das came out. The helpless family sent Haloi to Gitanagar Police station and Das to Chandmari Police Station. Shortly thereafter, a team from Gitanagar Police Station reached their house and informed them that all police stations had been informed about the incident through wireless.

The next day, Sarma's bullet-riddled body was discovered near a temple at the Katala Borkuchi village in Nalbari (around 70 km from Guwahati). Villagers had heard bullet shots at night towards the river embankment but due to fear did not step out. They informed the police after finding the body in the morning. Sarma's brother Dilip Sarma identified the body after receiving information about the recovery from police. Police recovered one empty cartridge of a 9mm bullet pistol from the spot.

Sarma had two bullet wounds on his body. Based on an FIR by Gaonburha (village headman) Arabinda Kalita, the Nalbari police station had also registered a case under number 6/2001 and had started investigating. Already, relatives of various

ULFA leaders and members had lost their lives at the hands of the secret killers. There were sporadic protests against these killings in some parts of the state. But the protests had not yet touched Guwahati. But the killing of Jyotish Sarma left the people of Guwahati shaken. On January 5, several thousand people came out on the streets protesting Sarma's death. On January 6 too, several thousand people took part in public protests. The Postgraduate Students Union of Gauhati University and the All Assam Students Union (AASU) had taken the lead to organise these protests. Although these killings were highly criticised in the local newspapers, no public allegation was made regarding who could be behind such incidents. But after Sarma's death the scenario changed. When a procession on Guwahati's streets, carrying Sarma's body, reached the Ambari area where the ruling Asom Gana Parishad's (AGP) headquarters are located, people took out their anger on it by openly raising slogans, accusing the AGP leaders as well as the Government and the ministers of being involved in the killings. The protesting crowd also stopped in front of Usha Court apartments on Zoo Road (officially known as the Radha Gobinda Baruah Road), raising slogans against surrendered ULFA (SULFA) leaders. Though people from various professions also do reside in the apartment complex, but at that point of time it was known as a SULFA hub. Suspected ULFA members had launched an attack on this complex earlier with rocket-propelled grenades (RPGs). There were allegations that several SULFA leaders were a part

of the anti-ULFA operations and Usha Court acted as a hub of these operations. The Justice Saikia Commission too had received complaints to this effect while enquiring into cases of secret killings.

Sarma's killing acted as a catalyst for state-wide protests, and soon thereafter, secret killings became an important issue during Assembly elections.

police investigations

Even though they were unable to identify the killers, police were convinced that the killers were Assamese speakers and knew Sarma before.

After the abduction, Sarma's family sent neighbour Dhiraj Das to the Chandmari Police Station to find out if he had been dropped off there, as promised. Das found a CRPF contingent at Chandmari and asked them if Das had been dropped there by the abductors. They replied in negative. They told him that they had gone towards Gitanagar area and had picked up an abandoned scooter and that Sarma's case was different. Das returned to Sarma's residence, and informed the family members and the police present there at the time.

Meanwhile, a student studying for graduation in commerce stream, who used to live nearby, came out hearing the commotion and learnt about the incident from Sarma's second daughter. At the request of Sarma's family members, he rode a bicycle to Gitanagar police station to inform police about it. After verbally informing police about the incident, he returned in the police vehicle.

Chandmari police station's the then in-charge Nomal Chandra Gogoi said he had informed his superiors about the incident when he heard about it. Replying to queries from the Commission, he said that sometimes CRPF jawans posted at the Chandmari police station too wore black masks around their faces.

According to Gitanagar Police Station in-charge Mani Saikia, he personally went to Sarma's residence after receiving the information about his abduction at 11:12 p.m. and filed an FIR after learning the details. He started his investigations on the basis of the complaint filed. He also took into custody, a person called Pratap Kalita, who had been arrested by the Fatasil Ambari police station under complaint number 5/2001. Similarly, he also took into custody Ramesh Deka from Jagikona village, arrested by the Gorchuk police Station. Gorchuk Police had confiscated a pistol from Deka. Gitanagar police station received this pistol as case property. The officer received the news of recovery of Sarma's body at Nalbari at 8:15 p.m. on January 4. On January 6, he went to the spot where the body was recovered and found two empty cartridges of 9mm bullets. Already, investigating Officer M A Laskar of the Nalbari Police Station had recovered an empty cartridge from the spot apart from two broken bullets taken out from Sarma's body while carrying out the postmortem. *7

Mani Saikia later got forensic tests done on the two empty cartridges that he had recovered. The ballistic tests had confirmed that the firing pin marks on the empty cartridges matched that of the

pistol confiscated by Gorchuk Police from Ramesh Deka. A special note was taken about it by the Inquiry Commission that Saikia had recovered two empty cartridges from the spot two days after the incident, from where the Nalbari investigating officer had already recovered one empty cartridge, and also that two broken bullets had been recovered from the body. The Commission also mentioned that this material had gone missing later from police documents.

pk dutta's version

Prasanta Kumar Dutta was the then Additional Superintendent of Police in Guwahati. He is a 1987 batch Assam Police Service officer. Dutta's batch had taken special training in Punjab. Those were the times when Punjab Police had attracted the country's attention by almost destroying terrorism in the state. The main credit for this success in Punjab was Assam-Meghalaya cadre IPS officer K.P.S. Gill. He had gone on deputation from Assam Police to become the director general of Punjab Police. At that time, Punjab was under the grip of terrorism. The Operation Blue Star initiated by Gill had finished terrorism in such a way that today there is almost no trace of terrorist activities in Punjab.

Dutta informed the Commission that Gill had not given any training to his batch in Punjab. But one Inspector General from Assam had come to give them training for a day. According to Dutta, he had

got promotion as additional SP in 1999. He further said that though his responsibility was to control crime in 16 police stations of the city, he had been given responsibility of issues relating to extremist terrorism too. According to Dutta, these matters were personally supervised by the then SPs, Bhaskar Jyoti Mahanta and G P Singh. Dutta denied that he knew anyone involved in the killing and said that Sarma's death was a result of infighting between the two factions of ULFA. The Commission has, however, refuted such a possibility. While referring to the sloganeering in front of Usha Court on January 5 the commission, has pointed towards the possibility of SULFA being involved in the case. On the other hand, the Fatasil police station arrested one SULFA member named Pratap Kalita alias Nag and on the basis of his statement, Gorchuk Police had arrested a ULFA member Ramesh Deka with a pistol. It is significant that two days after recovery of two bullets from Sarma's body, fired from this pistol, two empty cartridges were recovered by the in-charge of the Gitanagar police station. Nalbari Police had already recovered one empty cartridge from the spot and two broken bullets from the victim's body.*8

The Inquiry Commission also mentions that the day Sarma was abducted, SULFA leader Abinash Bordoloi was killed by suspected ULFA members in Nalbari. This was the same person who was questioned in connection with the murder of family members of ULFA leader Mithinga Daimary in Barama by secret killers sometime before that. The Commission also wondered if the two killings could

be somehow connected. Significantly, Subhash Sarma, a prominent ULFA leader from Nalbari, was the brother-in-law of Jyotish Sarma. There is a thought that he was killed to pressurize Subhash to forsake the path of extremism. But the Commission could not identify the killers or definitely pinpoint the motive behind the killing.

In the inquiry report of this case too, the Commission directed that Sarma's widow Anima Devi should be given a one-time grant of Rs 5 lakh for sustenance of the family.

dimba rajkonwar

Uma Rajkonwar of Lakua in Sibsagar was a leading freedom fighter in India's struggle for Independence. His wife Damayanti Rajkumari too was a dedicated worker of the freedom struggle. The youngest son of this couple is Rajib Rajkonwar, who is now known by the name Arabinda Rajkhowa. Rajib was one of the most prominent among the founders of United Liberation Front of Asom or ULFA. A few years after establishing ULFA, Rajib, who took the name Arabinda Rajkhowa, became the organisation's chairman.

The fight, which Arabinda and his comrades began three decades ago, has traversed many a difficult and tough time. Several thousand innocent people have lost their lives in the way of this "struggle". Among them are many innocent relatives of the ULFA members. Uma Rajkonwar's eldest son Dimba Rajkonwar was one among them.

Time: August 1998. The country was getting ready to observe the Independence Day. It was a difficult time fraught with terror and bloodbath in Assam. And it was during these times that Dimba, an employee of the Assam State Transport Corporation complex in the Chowkidingee locality of the Upper Assam town of Dibrugarh. It was the

evening of 11th August, upper division clerk Dimba was busy in the workshop of the complex. Dibrugarh, located on the banks of the mighty Brahmaputra—also known locally as Lohit or Louhitya—had somewhat cooled down after the hot summer day. Around 6:45 p.m., a red-coloured motorcycle with no number plate entered the complex. As the Yamaha motorcycle stopped in front of the workshop, no one could have imagined that the complex was going to witness a terrible incident. Two youths were riding the bike. As soon as motorcycle stopped, the pillion rider got down and walked up a little. Dimba, father of two sons and one daughter, did not suspect the youth's motive. Within a moment, the youth took out a small firearm, and the cool evening of Chowkidingee reverberated with the sound of the firing of two bullets. Yard master Dimba fell down with two bullets in his chest. The killer by then moved with a lightening speed to the waiting motorcycle, already in the revving mode, and sped away. Among the witnesses were station superintendent Gangadhar Doley, a housewife Lakhimi Deka, a 'mysterious' man named Ramu Upadhaya and many others. The floor of the workshop had become red with blood, and a badly injured Dimba was fighting for his life. Lakhimi Deka, seeing the incident, ran in with a jug full of water. But she was so nervous and afraid that she could not muster courage to give a drop of water to an injured Dimba.

Almost immediately Dimba was taken to the Assam Medical College Hospital of Dibrugarh. Dimba's wife Bharati Rajkumari had reached the

bus station around 7 p.m. after hearing about the incident. By then he had been shifted to the hospital. A helpless Bharati rushed to the hospital. But even before she could get there, her husband had expired. Dimba had succumbed to the bullet injuries. His fault: he was Rajib Rajkonwar alias Arabinda Rajkhowa's eldest brother.

Bharati Rajkumari, who belongs to a royal clan of the Ahom community that had built "Bor Axom" (Great Assam) by uniting the four 'piths' and had ruled over Assam for 600 years, was rendered speechless at the sight of her husband's dead body.

police investigations

The Dibrugarh Police had been informed of the incident within minutes of its occurrence. Ramu Upadhaya, a resident of Jiban Phukan Nagar under Milan Nagar Police Station, had informed the police of the two youths who had shot dead a person and then fled towards Amolapatty at 6:45 p.m. At 6:50, the incident had been recorded in the general diary of the police station under serial number 279. Milan Nagar Police Station immediately informed Amolapatty Police Station's assistant sub-inspector K. Ahmed, the in-charge official at the main Police Station and the district Superintendent of Police, about the two men over telephone. The Superintendent of Police had then relayed the information to all police stations of the city and instructed them to seal all entry and exit points of

the city and deploy additional police forces. Later, the then SP K C Deka had said that it had taken them about 15-20 minutes to seal the relevant roads. *9

On August 12, Bharati Rajkumari filed an FIR at the Dibrugarh Police Station. On the basis of this FIR, the police registered a case and started investigations. On the same day, they questioned a top SULFA leader Nayan Das, who had earlier surrendered to the police. During questioning, Das told them that he had an unregistered Yamaha motorcycle. However, "Guli" (Das's nickname which means bullet in Assamese) was not arrested and nor was his motorcycle seized. The police did not even bother to ask him the colour of his motorcycle. Nayan was released after police said they were not being able to find any connection between him and the murder. Later, the police questioned a number of Dimba's colleagues and concluded that they could not get any clue about the killers as no one could tell them anything about Dimba's enemies, or whether he had any. In 2003, the then Dibrugarh SP S N Singh, in an affidavit, had said that the investigations into the case were still on. According to records, the police had also interrogated a youth named Raju Phukan. During interrogation, he had said that he had a red-coloured motorcycle. But the police neither suspected him nor did they seize his motorcycle. Some days later, on August 26, 1998, Raju was shot by the Army. After his death, the police said that they had been suspicious about his involvement in Rajkonwar's murder, but the investigations did not proceed any further.

an eyewitness account

According to Chowkidinghee bus station superintendent Gangadhar Doley's statement, he had been a witness to the murder. The killers had fled via the Rodali Road after shooting Dimba.

According to him, a few months ago, Dimba had said that he wanted to shift out of Dibrugarh. He had been on the receiving end of a number of phone calls asking his younger brother Arabinda Rajkhowa to appear for peace talks. The unidentified caller had said that Arabinda would be made a cabinet minister if he did so.

bharati rajkumari's account

Dimba had been arrested several times by the police under TADA. He had been arrested in 1992 but was released the same year. Since then, he was being harrassed in different ways. It was then that Bharati had filed an application demanding her husband's safety and security. After the writ petition was filed, the TADA court had released Dimba on bail for three months. This bail was valid till June 30, 1994. As soon as he was released on bail, Dimba went to Delhi for treatment as his health had detoriated due to police harassment. During that period, on February 18, 1994, a group of eight youths, with their faces covered, had visited Dimba's official quarters and inquired about his whereabouts from Bharati. When Bharati told them that her husband was in Delhi, they left.

Mysteriously, that same night, a similar group had visited the residence of ULFA's military wing commander-in-chief Paresh Barua too and had asked for his elder brother Dinesh. Next day, Dinesh's body was found lying near the road a little away from their residence.

Dinesh's murder had shaken the whole state. Uma Rajkonwar's family was terrified too. It was his absence that had saved Dimba Rajkonwar's life that day. Four years later, however, the killers did not leave anything to chance. According to Bharati's complaint, her husband was killed because he was ULFA chairman Arabinda Rajkhowa's elder brother even though he had no connection with Rajkhowa or the organisation.*10

ajay rajkonwar's statement

According to Dimba Rajkonwar's brother Ajay, his elder brother "had no connection whatsoever with ULFA. He was only a well-known social worker. I think his murder was pre-planned. It was aimed at creating terror and an atmosphere of terror."

Ajay Rajkonwar's family had approached the courts after being constantly harassed by the police and the military. The court had ordered that Dimba Rajkonwar be neither harassed nor arrested. Even though he had a security cover in the form of home guards, somebody had left an unidentified dead body in front of his house. The other day, the Army had mercilessly thrashed a youth in Uma Rajkonwar's bedroom. The next day, his body was

recovered a km away from their home. After Paresh Barua's brother Dinesh Barua's murder, Dimba's family had been afraid for him as the government had been pressurising Uma, Dimba and even Ajay to convince Arabinda to appear for peace talks.

Ajay, in his statement, had named super cop K P S Gill as one of the adviser of the whole strategy as he had learnt that he had advised the then Chief Minister Prafulla Kumar Mahanta to follow the Punjab model and pressurise the families or relatives of ULFA members into asking them to join the peace talks. Ajay had referred to two instances in which the Army had told Dimba that if the peace talks failed, it will not be good for him.

The then Chief Minister had even sent a message to Ajay asking him to pressurise Arabinda to come for talks. Ajay had informed them that he had no contact with Arabinda. According to Ajay, this too was a major reason behind Dimba's killing. Ajay had been running from pillar to post for security for the family. He had even approached Chief Minister Mahanta with an application for the same. But having failed to secure adequate protection, he approached the courts. A day before Dimba was murdered, Ajay had informed the Inquiry Commission later, another ULFA leader Munna Mishra's brother had been killed by secret killers in Duliajan. On August 12, 1994, another person, one of whose family member had joined the ULFA, had been murdered in a similar fashion at Borpothar near Dibrugarh University.

a news item in dainik agradoot

A news item published in Dainik Agradoot seven years after his murder has now become a part of the Commission's probe. According to this news item published on August 25, 2005, under pressure from an MLA, Mahanta had been forced to remove a 14-member team of SULFA from Lakhimpur Hotel. The newspaper had also reported that a gang led by SULFA leaders Krishna Hazarika and Papul Saikia had come from Lakhimpur to Dibrugarh to carry out several killings.

the commission's probe

The Khagendra Nath Saikia Commission noticed several anomalies in the police's investigation of the case. Chowkidingee bus station superintendent Gangadhar Doley had informed the Commission that after shooting Dimba, the two killers had fled through the Rodali Path. Doley had told the Commission that the road had a SULFA camp. According to police records, the first person to inform them about the killing was Ramu Upadhaya. According to the Ramu, a resident of Milan Nagar locality of Dibrugarh, the killers had fled towards Amolapatty. The Amolapatty Path is located exactly opposite to Rodali Path. On investigation, the Commission has found out that the police used to visit the SULFA camp on Rodali road. The Commission suspected that Ramu Upadhaya had misled the police by giving false information so that

the killers could reach their destination safely. *11

The second issue was power cut. Just after Dimba was murdered, the power supply of the area was disrupted. It is alleged that the supply was disrupted to give the killers the time to reach their destination safely. While examining the register maintaining power cut records in Dibrugarh city, the Commission had noted that there was no reference to any load shedding at that time. During interrogation, electricity board officials had said that while it is possible that there could be power cuts due to local faults, records of such incidents were not available with the board.

The power was restored around 7 p.m. It is suspected that power supply had been disrupted to help the two killers escape. The third glaring fault in the police investigation was interrogation of SULFA leader Nayan Das. Witnesses had clearly told police – that Nayan Das had a Yamaha motorcycle. He had been called to the police station for questioning the next day purely on the basis of this information. Nayan had said during questioning that he had a new Yamaha motorcycle and it did not have a registration plate. But the investigating officer did not even ask him the colour of the motorcycle and released him saying he had no clue about the killing. The Commission had asked the transport department if a motorcycle could be plied without a registration plate. According to an official of the department, a new vehicle could be driven without registration if its application for registration had been accepted. Since Dimba's murderers had used a red Yamaha motorcycle to flee, the finger of

suspicion clearly pointed at Nayan Das. The Commission smelt a rat when they noted that he had been released without being asked about his bike's colour after he had admitted that he had a Yamaha motorcycle without a registration plate.

The Police had also interrogated another youth Raju Phukan on suspicion. He had a red-coloured Yamaha motorcycle. Witnesses had informed the police that on the day of the murder, Raju had been seen riding the motorcycle several times near the Chowkidingee bus station. However, Raju was released immediately after interrogation. A few days later, he was killed in Army firing. After Raju's death, the police had said they had reasons to suspect that Raju's had been involved in that killing though the Commission is yet to be satisfied.

It was after three years of the Dimba's murder in August 2001, that police sent a team to recover bullets from the spot for forensic and ballistic tests. The investigations have revealed that a.32 or .38 bore pistol—which is banned—had been used to kill Dimba. It was either a Mauser or a Tokerev pistol—both of which are not permitted for use by common people.

Meanwhile, even though the Commission had summoned Ramu Upadhaya, who had earlier made contrasting statements, to give his statement, he failed to turn up. The report mentions him as a man of suspicious character. The investigations proved that the police had not done enough to identify the killers. Advocates Jamini Kumar Phukan and P K Mushahary have told the Commission that police investigations had two

basic faults. And those were—no use of modern technology in what turned out to be a routine investigation, and no use of police dogs or finger or foot printing techniques. Even Ramu Upadhaya, who had informed the police about the incident, had not been questioned about the red motorcycle used in the killing. Neither the weapon was recovered nor was the killers found. Even the routine test identification parade to identify the killers had not done. Though the other witnesses Lakhimi Deka and Gangadhar Doley had seen the killers, no necessary steps were taken to follow their leads. The Commission had then recorded the statement of the then Chief Minister Prafulla Kumar Mahanta, who had faced allegations regarding these killings. According to Mahanta, the claim that if Arabinda was convinced to sit for negotiations, Dimba would be given a Cabinet post was totally false. “This claim has been made to belittle me and my government politically. We had appealed to organisations like Asom Sahitya Sabha, Bodo Sahitya Sabha, Mishing Sahitya Sabha, All Assam Freedom Fighters Association (Sadou Asom Mukti Jujaru Sangstha) to take the lead in convincing ULFA members for talks. The claim that Dimba Rajkonwar had been personally requested to do so is not true,” he said. According to the Inquiry Commission, only god knows whether the Assam Chief Minister had made such a request or not.

On the same issue, Ajay Rajkonwar had informed the Commission that after Dimba’s death, district Deputy Commissioner P K Lohia had called him to his chamber and told him that Chief Minister

Prafulla Kumar Mahanta had directed him to request Ajay to take steps to bring Arabinda to the negotiation table. Ajay had expressed his inability in doing so. The Commission has mentioned that Mahanta's counsel S C Khaund could not prove that this to be false.*12

The government has not made any ex gratia payment to the family of the dead. In two Shraddha ceremonies, neither any representative of the government was present nor was any condolence message sent. However, before his death, the same Dimba Rajkonwar had had two meetings with the Chief Minister. The Guwahati High Court, in its order after hearing the Bharati Rajkumar's petition about seeking security for Dimba in 1994, had said, "The petitioner's husband Dimba Rajkonwar may again face torture at the hands of police or the Army after his return. This need not be said that the responsibility of ensuring a person's life and security lies with the state, and ensuring the security and freedom of a person is the state's compulsory duty. Since the petitioner's husband Dimba Rajkonwar has been arrested on a routine complaint and since the trial is going on under the relevant sections of the Designated Court of Assam, there is no need to re-arrest Dimba Rajkonwar, unless he is sought for some other case. In this connection, confirming the writ petition, I ask the police and the Army to ensure that Dimba Rajkonwar is not re-arrested or harassed for complaints for which FIRs have already been filed against him. By another order, the Army and the Police are directed that his wife and daughter should not be harassed".

Dimba Rajkonwar's killing was the result of long-term developments, which had started with the government and its agencies trying to convince the families of ULFA members to convince their wards to eschew violence and join the peace talks, and support the formation of the Unified Command structure. After failing to achieve the desired results, the Army, CRPF and the police used SULFA to secretly plan out the elimination of ULFA members as well as their family members through 'ULFOCIDE'.

In this connection, the Commission had also taken the witness of Pranab Borah, the then Chief Secretary and the chairman of the Unified Command's strategic group. Bora said that the Unified Command is not involved in this killing. He was never cross examined.

The Commission had also appealed for the statements of super cop K.P.S Gill in connection to the allegations made against him. Gill, in an affidavit sent to the court, denied all the allegations and clarified that he had not advised the Assam Government to carry out such killings and neither did the state government seek any such information. A notice had then been issued to Dainik Agradoot in connection with the news item published regarding this but nobody replied. When questioned in this regard, Prafulla Kumar Mahanta said that the news item was false and motivated. According to him, he had sent his clarifications to the newspaper, which were never published. However, on being unable to reply to several questions regarding the government and administration,

the Commission was of the opinion that he had been a victim of memory loss.*13

Mahanta had said, “The day the incident happened, that is on August 11, 1998, I was the chief minister of the state and as far as I know, no government official or member of my cabinet was involved in the killing of Dimba Rajkonwar.” “I deny Ajay Rajkonwar’s allegation that top officials of the administration were involved in this killing.” “I deny that during the period I was chief minister, the former DGP of Punjab Police, K.P.S Gill, had given any advice to the government. I did not pressurise or order Ajay Rajkonwar to bring ULFA chairman Arabinda Rajkhowa to the negotiation table. But I had appealed that the ULFA be brought to the negotiation table under the aegis of (Asam) Sahitya Sabha. I also deny the Ajay Rajkonwar’s allegation that Dimba Rajkonwar was killed because of his failure to persuade Arabinda to come for negotiations. I deny that this killing has been carried out to create an atmosphere of fear and terror. My government has never done anything to create an atmosphere of terror and fear in the state. I also deny that SULFA in association with the government was directly involved in the killing of Ajay Rajkonwar’s elder brother. I have not read nor found any statement by SULFA that says ‘they would not cooperate with the government in any such job’, as claimed by Ajay Rajkonwar during his witness.”

The Commission was, however, stunned that Mahanta in his affidavit defended not only himself, the government, the Cabinet and government officials but also SULFA. It wanted to know the reason

for his giving a statement on SULFA's behalf.*14

Mahanta said that though he knew about two SULFA leaders from Dibrugarh, Jugal Kishor Mahanta and Saurav Gogoi, he has met neither of them. He knew Sunil Nath and Sailen Dutta Konwar personally. He also knew about Usha Court, which was once attacked by rocket-propelled grenades. But the police never informed him of any untoward development. The Commission then asked Mahanta about the secret killings that were carried out from 1998 to 2001 and whether he knew all the killers but had deliberately not given their names. Mahanta denied this.

On the other hand, observing that the three accused in this case, Krishna Hazarika, Nayan Das and Raju Phukan, had been killed in various circumstances later, the Commission wanted to know whether the government had been following a policy of "kill and getting killed".

It described SULFA as an extra-constitutional force and said that it is likely that the police used SULFA to carry out such attacks. The Commission said that lower, middle and senior level officials deserve to be punished for their negligence in the carrying out the investigation of the case and for not being able to identify the killers. It also referred to the "collective responsibility" of all the people concerned in the government, be it political leaders, or the minister-level administration. It also suggested the dissolution of the Unified Command structure and also advised that late Dimba Rajkonwar's wife Bharati Rajkumari be given a one-time relief of Rs 5 lakh.

Even women were not spared by the secret killers just because they were relatives of ULFA leaders

dr. dharani dhar das

The month of August 1998 was the darkest period of Assam's insurgency-plagued history. As guns refused to go silent, innocent people were killed by both ULFA militants and security forces from Sadiya to Dhubri, the two farthest points of the state in east and west.

Assam was bathing in blood in those times. On one side, there were state-sponsored assailants and on the other gun-totting ULFA militants, looking for revenge. The former had been winning that round of battle with covert and overt state support.

Unidentified assailants killed or maimed almost every top ULFA leader's relatives in tit-for-tat counter insurgency operations during that period. ULFA too was not leaving any opportunity to target their ex-cadres who had colluded with the security forces. Even the aged, children and pregnant women could not escape from their gunfire.

As the black-hooded state-sponsored assailants roamed freely on the roads of the Brahmaputra valley, by sunset most roads in Assam wore a deserted look. By late evening, it was only the vehicles of these assailants that moved and almost every week they snatched away someone's husband, someone's brother, or sister. The state looked the other

way and in most cases believed to be colluding with them as it felt that this was the most effective way of tackling Assam's insurgency.

One of the most shocking of all incidents came from Barama, a small town in lower Assam, about 110 km west of Guwahati.

It was August 12, 1998. When media personnel from Guwahati reached the small town after hearing about the killings previous night, they saw four bodies being cremated simultaneously.

In the four cremation beds, actually five bodies were cremated. One of them was yet to see the light of the world. They were ULFA Publicity Chief Mithinga Daimary's mother Phuleshwari Das, elder brother Dr Dharani Dhar Das, wife Rupjyoti Das and sister Latika Das.

All of them were shot dead in one of the most horrific killings by the assailants in the Juluki village near Barama. At that time, Rupjyoti was 20 weeks pregnant. Only two survived in that horrific incident. They were Dr Dharani Dhar Das's son Bhaskar and Das's younger brother Nitul, who had come home from Pune for vacation.

The incident had made Assam speechless. The barbaric act had left everyone shocked. Everyone cried that day in Barama, but all knew that it was one of the "secret killings" going on in Assam and no one could stop that.

Mithinga Daimary was then the Central Publicity secretary of ULFA. Following an ideology, he had joined the organisation and rose to become its Central Publicity Secretary after leaving his home and family almost a decade back.

His elder brother Dr Dharani Dhar Das was the district anti-leprosy officer of Nalbari. More than a doctor, he was more involved in the social activities and had emerged as one of the most popular persons of the area. He was also closely involved with Asom Sahitya Sabha, the apex literary organisation of Assam.

His satirical essays and mannerisms had made him one of the most loved person of the area. He had an identity of his own beyond being the elder brother of Mithinga Daimary. That was also his nemesis, which was well marked by the assailants. The assailants realised well that he could be a "good shot for ULFA". The doctor's only fault was that he was the elder brother of ULFA's publicity secretary.

On the fateful night of August 11, around 1 a.m., a group of assailants came to Nij Juluki village in two vehicles. Armed with 9 mm pistols, .32 and .38 shot guns, the occupants of the two vehicles came out brandishing weapons.

First, they rang the doorbell and then the front door was banged. Years of midnight army intrusions for the family's younger son had made all the family members immune to such late night calls. There had been innumerable search operations in their house for Mithinga.

Thinking nothing about it, the front door was opened and immediately, a hail of bullets pierced everyone inside. The firing took place for more than three minutes.

Firing over, the two vehicles once again wetn back the same way and were seen by a village defence party at Akhwra chowk.

police investigation

The Assam police got wind of the incident only the next morning although the distance between the ill-fated village and the police station of Barama was barely a few kilometres.

The gunfire was heard by all in the neighbourhood. But such were those terrifying nights that no one dared to come out to help the family.

Kalikanta Das, a retired school teacher, lived next to Dr Das. The septuagenarian heard the gun shots at around 12:40 in the night and he could count five to six rounds of shots. But he, like others, was too scared to come out. He was not sure whether it was gun fight between ULFA and security forces or something else.

He was terrified, kept quiet and waited for the first break of light to come out. When he eventually did come out to find what had happened last night, he found Nirmali Das on the road.

Nirmali was Dr Das's father Khagen Das's domestic help. Khagen Das was Kalikanta Das's elder brother. It was Nirmali who informed Kalikanta that firing had taken place at Dr Das's house and that some people had actually fired on the family members. She also told him that though she was inside the house at that time, she had somehow managed to flee.

By then, a few more of the villagers had also trooped in. Everyone realised that something terrible had taken place inside Dr Das's home but no one had any inkling of what lay in store for them inside.

Collectively, they egged Nirmali to go inside the house and see what had happened. She took a few shaky steps inside, only to cry and ran out to inform that everyone in the family had been killed.

One by one all the villagers entered the house and were shocked to see the brutality of the assailants. Lying on one side of the bed was mother Phuleswai. Next to her was Dr Dharani Dhar Das and wife Rupjyoti. Both were still holding hands. Near their legs, lay their sister Latika. There was blood everywhere and all of them had died instantly.

But there were two survivors. One was 10-year-old Bhaskar, who had somehow managed to hide himself under the bed, and his uncle Nitul who had managed to flee. The 10-year-old had seen everyone in his family dying in front of him but had been so horrified that he remained speechless till he was discovered.

Kalikanta Das immediately informed the village headmen Jitendra Nath Das and both of them then rushed to the Barama police station to file an FIR.

They found officer-in-charge Dwijmoni Singh in the police station and within half-an-hour the police arrived at the spot. They recovered half-a-dozen empty shells as well damaged cartridges from the site. All belonged to AK-47 series.

The police did not take any finger prints nor did they use sniffer dogs. Some time later, the then SP Apurba Jiwan Barua and District Magistrate also arrived at the scene. The officer-in-charge of Barama police station asked all the police stations of Nalbari district to monitor the movements of sur-

rendered ULFA militants through the wireless network.*15

The police also interrogated two known SULFA leaders, Abinash Bardoloi and Deep Choudhury, about the case. They also interrogated one Dutta.

Although the secret killers were said to have used Maruti vans, no SULFA cadre in of Nalbari owned Maruti Vans at that time. Abinash had a Maruti car. The three were not arrested as the police found nothing objectionable after their interrogation.

Proper investigation into the killings started only on August 16, five days after the killings. The case diary was written that day too but no one bothered to send the cartridges to the forensic laboratory.

On August 19, the preliminary investigation report, sent to the Superintendent of Police, suggested that two Maruti vans had entered the village from Guwahati and committed the crime and returned to the city again. The report clearly believed it to be SULFA's handiwork. The report was based on the lead received from the village defence party, which had been guarding the Akhwra Bridge that fateful night.*16

According to Nirmali Das, she and her husband had gone to visit Khagen Das on August 8. She had been working for Khagen Das for more than four years before her marriage. After getting married, this had been her first visit to the Das household.

On that fateful night, she had been sleeping with Latika, Dharani Dhar Das's sister. At around 12:30 in the night, she heard banging on the front

door. For both Latika and her, it was nothing unusual as army and police regularly used to come to their house in the dead of the night in search of Latika's brother, ULFA's publicity secretary Mithinga Daimary.

Without much concern Latika opened the door while Nirmali fell behind. The killers immediately opened fire and Latika received the first bullet in her chest. Nirmali somehow managed to flee and opening another door through which she reached neighbour Prafulla Das's house. She informed them about the incident but everyone waited for sunrise to check what had happened.

mithinga's brother's stand

Mithinga Daimary's real name is Deepak Das. He adopted the pseudonym while joining ULFA. Since the death of his father Khagen Das, elder brother Dr Dharani Dhar Das had taken the responsibility of the head of the family. He had sent his youngest brother Nitul Kachari to Pune to pursue a course in cinematography.

According to Nitul, that evening, a Maruti Gypsy had come to their house. The occupants in civil dress talked to him wanted to know how a first timer can identify their house. Three Gypsys had later come to Akhwra chowk and ate something from the roadside Sarma hotel. As the Independence Day was approaching, the security was pretty tight. However, nobody minded it and perceived it to be a part of the security drill.*17

According to Nitul, those three vehicles were later used for the killings. He further said that on the night of August 11, the Barama police had removed the security cover from the area around his village to facilitate smooth operation of the assailants. The assailants had returned that day and had tea from Sarma hotel again.

The Officer-in-Charge of Barama Police Station had travelled to the hotel in a requisitioned bus and asked the occupants of the Gypsy whether the assigned work had been done or not.

Nitul was convinced that his family had been wiped out as revenge for the murder of a top SULFA leader Tapan Dutta at Guwahati. The ULFA had taken the responsibility for the killings. To avenge the killings, according to Nitul, the senior most SULFA leader Jugal Kishore Mahanta called up one of his colleagues Tirtha Bhuyan of Barpeta to plan the murders. Nitul particularly pointed to a phone call and said that he was sure it was made from the chamber of a doctor. He also said that all the three vehicles were white and did not have a number plate.

However, during the hearings of the Saikia Commission, SULFA leader Jugal Kishore Mahanta denied all these allegations. He mentioned that he did not know any doctor's chamber near the Usha Court housing society. He also said that there was confusion regarding the ULFA's acceptance of responsibility. He had also questioned ULFA's motive for killing Tapan Dutta in 1998 when he had surrendered in 1992. He further said that although in 1998, Reliance had introduced mobile telephony

in Assam, there was no STD service and hence there no phone call could be made to Tirtha Bhuyan of Barpeta.*18

The inquiry commission later questioned the then Inspector General of Police (IGP) Operation G M Srivastava but no significant information could be extracted from him.

saikia commission inquiry

The Saikia Commission had taken note of the allegations that the local police had withdrawn the normal security arrangement on that night in and around that village. This was investigated and the officer-in-charge of Barama police station had been asked to explain his conduct. The officer, Dwijmoni Singh, informed the Commission that he had arranged for village defence force protection under the leadership of village headmen Gopal Burman on the Akhwra Chowk Bridge. Another CRPF patrol party had been placed on the bridge of Morapagaldiya on the National Highway 31.

The same village defence party, five days after the incident, had informed the police officer that they had seen two vans enter the village and go back after 15-20 minutes. But the confusion regarding the van or gypsy remained and the Commission also could not clear it.

When asked as to why sniffer dogs were not pressed into service, Dwijmoni Singh said that since it had rained that night and he did not find it necessary to use dogs as most of the clues had

already been washed away by the rain.

When confronted on the issue of not sending the used cartridges to forensic laboratory, he replied that since no arms had been recovered, he did not find it necessary to send the cartridges to the forensic laboratory.

The police officer informed the commission that post mortem had been conducted on the bodies of all four of them and Rupjyoti was found pregnant with a 20-week baby who also died with the mother.

The main complainant, Kalikanta Das, appearing before the Commission, said that he did not believe that Bodo extremists groups were involved in the incident. When asked whether he suspected the state government, he replied in affirmative. He also pointed out that neither did the then Chief Minister Prafulla Kumar Mahanta nor the Barama local MLA or minister Rekha Rani Das Boro visited the family, and nor did they announce any help for the bereaved family members.*19

A host of other people also appeared before the Commission. They included one of Dr Das's colleague, a journalist as well as some relatives. According to local journalist Bhava Medhi, a few days before the killings, a group of CRPF and police had visited Dr Das' house and harassed his mother Phuleswari and had taken him to the police station. There they tried to pressurise Dr Das into using his influence on his younger brother to surrender. Before that, Dr Das' ailing father Khagen Das had also been pressurised in a similar fashion. The same had happened with his sister Latika. The

jawans of 5 Dogra regiment, stationed near Barama, during that time regularly used to visit the Mithinga household and tried to force the family members into persuading Mithinga to surrender,

On June 2, 2006, the then Chief Minister Prafulla Kumar Mahanta had filed an affidavit before the Commission saying that neither he nor his government or anybody of the Unified Command had ever pressurised Latika into asking her brother Mithinga to surrender. The affidavit also denied that the state government or the Central government had hatched a conspiracy to eliminate the Dr Das' family.

However, the Commission said that the state could not absolve itself of any responsibility despite such affidavits. The Commission noted that no Cabinet decision had been taken in this regard although the matter had been discussed on the floor of the Assam Assembly.

The Commission was of the view that there was a definite political motive behind the killings and clearly the ULFA leader's family was the target. It held the then state government responsible for the act.*20

Another witness who testified before the Commission was Khanin Ali Patgiri, an office bearer of the Asom Sahitya Sabha's Barama unit with which Dr Das was closely involved. According to him, before that fateful night, Dr Das had told him that there was a conspiracy on to eliminate his entire family by a group of SULFA and security people. He had noticed movements of some unfamiliar faces and had been fearful.

The then SP of Nalbari district, Apurba Jiwan Barua admitted before the Commission that the SULFA had been used in the past to extract some strategic information about the movements of the ULFA and its hideouts as part of the counter insurgency operations. However, he denied that the organisation had ever been directly used for the anti-insurgency measures.

The late Dr Dharani Dhar Das, however, had some inkling of what was coming because already Aurobindo Rakhowa's elder brother had already been eliminated by SULFA. He feared for his life but SP Apurba Jiwan Barua had dismissed all such threats to Dr Das' life. He also denied the fact that SULFA leaders had been given a free movement authority. He, however, admitted that the police administration had tried to protect as well as help rehabilitate some important leaders of the district which included Abinash Bardoloi.

Abinash Bordoloi was later killed by the ULFA and Barua had then informed the Commission that he had been privy to that and by then he was transferred out of the district. The additional SP of the district, Ranjan Bhuyan, admitted before the Commission that there was a group of SULFA cadre who had been given shelter in the police reserve. But he denied that they were used to murder Dr Das' family.

The Inquiry Commission, in its report, said that it was difficult to point out the real killers but the needle of suspicion remained on SULFA. It said the state had definitely facilitated the killings by helping and abetting the SULFA cadre.*21

As compensation, the Commission suggested that Rs 20,000 be given to Dr Das' son Bhaskar and brother Nitul Kachary as ex gratia and also asked the local court to appoint a guardian for young Bhaskar, who was a kid at the time of killings, but has now grown into 20-year-old young man.

Assam police DIG GP Singh facing the KN Saikia inquiry commission

haren teron
borhani teron
bipul teron

This incident happened just on the outskirts to Guwahati, a bustling city considered the gateway to India's North-East. The cruelty of the incident that occurred at the Lakhara Thapana village under Basistha Police Station has shaken the people in and around the village. The perpetrators, it seems, did not value human life. Justice Saikia Commission of Inquiry has carried out a detailed probe into this incident, which is a part of the series of killings that had taken place during the second term of the Prafulla Kumar Mahanta-led state government of the Asom Gana Parishad party.

the night of the incident

Haren Teron's family consisted of his wife Borhani Teron, three sons and a daughter. His two sons Putul and Bipul stayed with them while the third one, Niron, lived separately. His daughter's name was Mamoni.

The trouble started when Putul decided to embark on an uncertain journey in search of a "sovereign" Assam. He joined the United Liberation Front of Asom (ULFA). For the 50-plus Haren Teron

and Borhani Teron, the concept of Assam's "sovereignty" was something way beyond their understanding. For them, to able to live peacefully, without any worry, was the most important thing.

But on the night of March 8, 1999 everything changed. Around 2:30 a.m. that night, a gang of 10-12 people suddenly forced their way into their house. Their faces were hidden behind 'gamosas' and they wore black clothes. The gang then fired indiscriminately. Haren Teron died in his sleep, without even realising what had happened. So did Borhani and Bipul. It was sheer luck that Mamoni escaped. She was sleeping in another room and did not stir when she heard firing, and lay motionless beneath the blanket. The killers simply walked away after the killings. That day, the new day dawned upon the village with Mamoni's wails.

why was haren teron's family guilty?

Was Putul Teron's enrolling himself in ULFA the reason for these murders? The villagers are unable to comprehend any other reason behind the act. It was only after Mamoni's cries reached them that people gathered around the Teron house. Niron Teron, whose house was just 200 metres away, too came there only then. He had heard the gunshots, but had thought that somebody was bursting crackers to scare away the wild elephants who often scoured villages in the area in search of food. It was only around 3:30 a.m. that he came face-to-face with the lifeless bodies

of his parents and brother. Only then did he realise that what he had heard were not cracker bursts, and sounds of terror unleashed by some inhuman elements. Niron heard the gathered people discussing that it must be the latest in the series of secret killings going on in the state. The villagers agreed on a single point of view—that Haren Teron's only fault was that his son Putul Teron alias Babul Ingti was a part of ULFA. They were forced to think on those lines due to the spate of such killings on in the state.

what did lachit bordoloi say?

Lachit Bordoloi, the chief advisor of human rights organisation Manab Adhikar Sangram Samiti (MASS) was not an eye witness to the incident. But as the leader of the body, he had visited the spot. He had met Niron Chandra Teron and Mamoni Teron and sought to know the details of the incident. The 17-year-old Mamoni Teron told him that when the killings happened, she was hiding under the blanket and did not even stir due to mortal fear. Only after the killers left did she venture out and started wailing after seeing the blood-soaked bodies of her parents and brother. She believed that the people who carried out the killings were from the police. Lachit Bordoloi was also present during the shraddha ceremony of the deceased. There too he heard villagers discussing about the families of Babul Ingti and Nirmal Boro—senior leaders of ULFA—which had been attacked by SULFA people

residing in the Usha Court complex in Guwahati to avenge the ULFA attack on the complex. According to Lachit Bordoloi, after ULFA attacked Usha Court, superintendent of police P K Dutta reached the place for inspection but did not prevent the SULFA cadre from coming out of the complex with firearms. At that time, it had been alleged that the government had given the SULFA an unofficial licence to carry out a mafia rule and run the so-called syndicates. Bordoloi had an unambiguous view that the state government had a hand in the rise and the free run given to SULFA those days. He believed that by carrying out such acts, the state government wanted to pressurise the ULFA cadre to surrender and thus run the affairs of the state smoothly. He had reasons to feel that the NDA government at the Centre too supported the state government's stand and that was why the Governor of the state had refused to permit the Central Bureau of Investigation (CBI) to interrogate Prafulla Mahanta in connection with the multi-million-rupees Letter of Credit (LoC) scam that had at that time rocked the state. Bordoloi also said that most incidents of secret killings had been put on the backburner by the state police. He also claimed that the police had provided vehicles and other help to SULFA for such activities.*22

niron teron's version

Haren Teron's son Niron Teron, who had been living separately from his parents, had also deposed

before the Commission. That night, he had mistaken the sounds of the gunshots to be those of crackers used to scare away wild elephants. Only around 3:30 a.m. did he get to know about the incident. He was left speechless at the cruelty. Such was its impact that going and lodging an FIR at the nearest police station did not even occur to him. He and others remained at the spot till about 9:30 am when they saw Basistha police personnel pick up empty cartridges from the spot. Later, with the help of around seven villagers, the bodies were taken to the MMC Hospital in the city for post mortem. Niron Teron also told the Commission that no compensation had been paid by the government after the incident.

two incidents prior to this incident

Two incidents took place before the killings at Thapana Lokhora. The Saikia Commission saw an apparent link between these incidents. One of them took place at 7 p.m. on March 7, 1999, at the Usha Court complex. There had been a sudden firing on the complex, which was located on the busy Zoo Road (Radha Gobinda Baruah Road) in the heart of Guwahati. The incident had shaken up the whole city, particularly because it was the abode of several top SULFA leaders. The finger of suspicion for this attack pointed at ULFA, more so because the SULFA leaders living in that apartment complex used to hold fairly senior positions in their organisation before they surrendered. After the incident,

SULFA leaders had come out of the complex with firearms and were in an aggressive mood. The media had, at that time, reported that senior police officer P K Dutta had inspected Usha Court immediately but did not question any SULFA leader about why they were carrying firearms and neither did he prevent them from doing so.

Before the sensation created by this incident could die, another incident took place on the morning of March 8. Around 5 a.m., an armed gang of 4-5 youths, with their faces covered, visited the office of Bhogeswar Teron, a secretary of the Karbi Student's Association, located in the Ambikagiri Nagar area of Guwahati. They were looking for Babul Ingti, an ULFA leader, and identified themselves as police personnel. The gang blindfolded Teron and carried him to an unknown destination in a car. He was reportedly taken to the basement of a house and was severely tortured. They wanted to extract information about Babul Ingti's whereabouts from him. Despite torturing him, they could not extract any information about Babul Ingti, and he was dropped near his office in a bad condition. He reached his room in the morning of March 9 following which his hostel mates informed the Geeta Nagar police station of his return, after which a case was registered in this connection.

who killed haren teron's family members?

The moot question of this case is—who killed Haren Teron, his wife and his son? Usha Court had

been attacked at 7 p.m. on March 7 while Bhogeswar Teron had been abducted at 5 a.m. on March 8. On the other hand, the brutal incident at Lokhora Thapana village took place at 2:30 a.m. on March 8 itself. This makes it apparent that there is some connection between the abduction of Bhogeswar Teron and the killings of the Terons. What is significant is that Bhogeswar Teron had been tortured for information on Babul Ingti. The Saikia Commission too pointed at the possibility of the SULFA and the local police joining hands to kill the three members of the family as they believed that ULFA was behind the attack on Usha Court. On the other hand, Lachit Bordoloi's deposition added a new angle to the case. According to his deposition, the police may have been hand-in-glove in the attack on Usha Court. He believed that the police deliberately attacked Usha Court so that an angry SULFA attacks the family members of ULFA cadre. In fact, Bordoloi had even issued a press release in which he mentioned the names of G M Srivastava, P K Dutta and several other police officials. However, it is a fact well known that the police used to regularly visit Putul Teron and pressurize him into getting his son surrender although Haren Teron had repeatedly pleaded his inability to do so. Niron Teron had told the Commission that during their frequent visits, the police had got several blank papers signed by them.

the role of the police?

The police's role in the case has always been under a cloud. The officer who had come to visit the spot never showed any urgency usually expected in such incidents. He did not take any notes of the information that Niron Teron and Mamoni Teron provided him, nor did he question Mamoni about the killers and about the sequence of events especially since she was the sole eye-witness of the incident. The city police did not bother to speed up their investigation into the Usha Court incident either, nor did they show any urgency in the Bhogeswar Teron abduction case, which could be an indication of the alleged involvement of both the police and the SULFA in the incidents. Though an element of mystery about the perpetrators of the Usha Court attack case remains, the police's sympathy so visible towards SULFA leaders after the attack, was definitely missing when it came to the Teron family.

the role played by the state government

The then Home Minister cannot escape responsibility for this incident. The government did not take any measures to provide safety to the family members of ULFA despite repeated attacks. The Home Department too did not seem too perturbed about the fact that SULFA members had firearms. Even the Home Department may be implicated in this case.

what the commission said in the end?

The Commission looked into all aspects of the case. After going through the depositions of the witnesses and the overall situation in the state, the Commission said that SULFA leaders and Usha Court residents Jugal Kishor Mahanta, Bhaskar Sarma and Dibakar Deka were directly or indirectly involved in the killings. Even the Guwahati Police had been involved for they had deliberately not shown much alacrity in carrying out the investigations. On the other hand, the state Home Department was visibly detached about the incident which makes the Home Minister liable too, to some extent.*23

The then Assam Governor Lt Gen S K Sinha and the then Chief Minister Prafulla Kumar Mahanta

rajesh mishra
rajib koch

The name of Krishna Hazarika, SULFA leader from Tezpur, had got embroiled in the allegations regarding the secret killings that were taking place all over the state. After there were allegations that Krishna was connected to several killings in Guwahati and the killing of ULFA chairman Arabinda Rajkhowa's elder brother Dimba Rajkonwar in Dibrugarh, the matter reached the Commission. While he was a member of ULFA, Krishna had been arrested by police after creating sensation in Tezpur through incidents like killing of army officers and attacks on CRPF. Hazarika, who had surrendered immediately upon his release, had created a reign of terror in the Lakhimpur, Dhemaji and Sonitpur districts of northern Assam. Hazarika and his associate Bibek Nath were the main accused in the killing of Rajesh Mishra and Rajib Koch.

Rajesh and Rajib were abducted from Madhabdham in Tezpur city. Rajib's brother-in-law was undergoing a treatment at the Sukhada Nursing Home in Tezpur for some kind of serious ailment. Rajesh ran an electrical goods store by the name of Jyotishman Commercial in the city. Rajib used to work in that shop. They shared a good relation due to this connection. On September 19,

1999, both went to the hospital to inquire about Rajib's brother-in-law. Around 11:45 p.m., the doctor asked them to immediately shift the patient to Guwahati for an advanced treatment. They went out on Rajesh's scooter in search of an ambulance. The roads were deserted at that midnight hour. Both reached Madhabdham and started looking for an ambulance. When Jiban Baruah, a guard told them that an ambulance was available, they started negotiating the money. Suddenly two Gypsy cars screeched to a halt from both sides. Around five to six youths in police uniforms came down from the car. All of them were carrying deadly weapons. Without any word, they dragged Rajesh and Rajib into the cars. Taken aback at the sudden development, Rajesh shouted at Jiban to take care of his scooter. Nobody came to know about the incident until morning, when Jiban informed several people about the late night abduction.

The residents of Tezpur, believed to be the birthplace of princess Usha of Usha-Aniruddha legend, are well accustomed to this form of terror. In 1994, body of Biswajit Bora, a popular youth, who had been abducted by a few unknown men, was recovered from the Brahmaputra River. The impact of the incident was felt all over the state. There were large-scale protests in the city. And with the abduction of Rajesh-Rajib, the scar of the incident has deepened in the hearts of the people and has left them terrorised.

As Rajib and Rajesh did not return, other relatives present at the nursing home had arranged another vehicle to take the patient to Guwahati.

Even till the next morning, neither of the families had received any information about the night's incident. Quite naturally, both families were worried as Rajib and Rajesh had not returned. On September 29, Rajib's father Bhola Koch went to Rajesh's residence to inquire about him. He thought that instead of returning home, Rajib might have decided to sleep at Rajesh's place. But Bhola Koch learnt from Rajesh's mother Shashiprabha Devi that neither Rajesh nor Rajib had returned home the previous night. The families got worried and decided to go to Madhabdham to inquire since they knew the two went to that place to look for an ambulance. Around 9 a.m. they reached Madhabdham. Already, there was a small crowd in front of Madhabdham. They were discussing about the two boys abducted the previous night. Different people were giving different testimony to the incident. Some said that it was the handiwork of the city's secret killers.

Rajib's father and Rajesh's mother were left shocked upon hearing the news. Both spoke to Madhabdham guard Jiban Baruah to find out more about it. Jiban Baruah told both of them he could recognize some of the people who had come in the two vehicles. They were – Krishna Hazarika and Bibek Nath. Apart from them, he said, he could also recognize Achintya Das and a few others. Krishna and Bibek were at that time SULFA leaders known for creating terror. They were carrying out illegal activities in both Tezpur and Lakhimpur, creating an atmosphere of terror. Both were faces of terror for the common people. Having learnt that Rajib-

Rajesh had been abducted by this group, their parents felt totally at a loss.

Rajib's father filed an FIR at the Kacharihat police station that came under the Tezpur main police station. But police did not give any importance to the incident, and as a follow up, he filed another FIR at the Mahabhairab Police Station in the afternoon.

police investigations

The only witness to the incident was the guard at Madhabdham. After a detailed FIR was filed by the families of those abducted, police registered a case. The apparent attempt by police was to establish it as a case of fight over land grabbing rather than as a case of secret killing. According to GR case no. 1109/99 of Tezpur, a piece of land owned by a person called Putul Bora of Nikamul Satra was under dispute. Rajesh Mishra and Rajib Koch had opposed Bora's move of taking possession of that piece of land. According to them, a person named J P Yadav had already bought that piece of land. This led to a dispute between Putul Bora and the two. Putul was related to SULFA member Bibek Nath. According to the complaint, it was Putul who had engaged Bibek and Krishna to abduct the two. Police filed Case No. 541/99 and named Putul Bora, Bibek Nath and Krishna Hazarika as accused. Though there was a speculation that a youth named Achintya Das was driving the car in which the two were taken away, he was not notified as an accused.

According to a report submitted by the police, though Krishna and Bibek had been arrested in connection with this case, both managed to escape from the police station. The reports also mentioned that while Krishna had admitted during the process of interrogation his involvement in the abduction, he refused to admit it in front of the magistrate. Bibek was latter re-arrested by the police. He denied being involved in any land dispute.

the commission's inquiry

The Commission had issued notice to several people in connection with this case. Krishna Hazarika, the main accused had been killed in an encounter with police at Jorabat near Guwahati. During interrogation, Bibek claimed that he was not involved with the land dispute.

The Commission also enquired whether or not this case was related to the 'secret killings'. It inquired into some old information to decide whether it would be a land dispute case or one of abduction since both aspects had come up during the probe. In this connection, complainant Bhola Koch was questioned about the death of his eldest son Munindra. According to Bhola, Munindra had died in a road accident in 1994. But a witness named Swapan Koch had told the Commission that Munindra was a member of the ULFA. He had been interrogated by the then additional superintendent of police Abhijit Bora in Tezpur. Bora had informed that after registration of the case, Krishna had been

arrested from Jamuguri on October 3, 1999. He and Bibek were able to escape from the police custody.

The Commission also specially mentioned one particular thing – that is a debate in the Assam Assembly some time after the incident. In the debate records of the October-November session, No. 3, page 73, the abduction case was clearly recorded. The debate indicated that the family had some kind of connection with the ULFA. That is why the Commission chose to take up this case along with other ULFA-related cases.

Rajib and Rajesh could not be traced since then. The incident had led to a mass upheaval in the city. The Tezpur Citizen's Forum (Tezpur Nagarik Mancha) had even submitted a memorandum to the then Prime Minister Atal Bihari Vajpayee on the SULFA menace in the city. People had taken out a protest march and destroyed an illegal camp of SULFA. A few people recovered police uniform, arms and weapons from a camp located near Ananta Cinema Hall and deposited them with the deputy commissioner Naba Kumar Chetia in the presence of local MLA Brinadban Goswami, Padma Hazarika and Rajesh's mother.*24

shashiprabha devi's statement

Primary school teacher Shashiprabha Devi had informed the Commission soon after the incident that she, as a part of a delegation, had gone to Dispur and meet Prafulla Kumar Mahanta. She had

requested the Chief Minister to take steps to rescue Rajib and Rajesh. In reply, Mahanta said that his effigy had been burnt in Tezpur and then people had come to meet him. Shashiprabha told him that though his effigy had been burnt, he was still alive and should take appropriate steps with regard to the case. Mahanta dismissively said he would look into the matter. She had also informed the Commission that Rajib Koch was a good-natured boy and that is why Rajesh had been friends with him. She wanted to ask Hazarika and Bibek why the two had been abducted, but she never got the required permission.*25

the debate in state assembly

On November 2, 1999, (now AGP president) Brindaban Goswami raised the issue in the State Assembly during Zero Hour. Giving the Government version in this regard, Prafulla Kumar Mahanta had said that investigations had shown that abducted Rajesh Mishra and SULFA Bibek Nath had an ongoing land dispute between them. Indian Tea Association secretary J P Yadav had bought a piece of land near 155 Tezpur Race Hospital. Advocate Putul Bora was also trying to buy the same piece of land. That was why Putul Bora asked Bibek Nath to occupy that piece of land. Yadav asked for Rajesh Mishra and Rajib Koch's help in this regard and they agreed to help him. Police meanwhile arrested Putul Bora along with Krishna Hazarika. During interrogation,

Hazarika denied being involved in the incident. Putul Bora confessed to the conspiracy and the district administration and police were trying to arrest Bibek Nath. Putul Bora admitted that he had asked his brother-in-law Bibek to occupy the land but claimed that he was not involved in the abduction. The officer-in-charge of Tezpur main police station and the district additional superintendent of police were suspended for lacunae in investigation in the case.

bibek nath's statement

During interrogation by the Commission, Bibek Nath said he got to know about the incident only on September 29, 1999. According to Nath, on the same day, he got a telephone call from Sonitpur superintendent of police L R Bishnoi asking him whether he was involved with the previous night's incident. Bibek told him he did not know anything about the incident. In reply, the police officer told him that people suspected him and asked if he had anything to say in this regard. Bibek made a statement that he was at his home at the time when the incident took place and he had no clue about it. Bibek told the Commission he had not met the SP. After that Bibek came to Guwahati and met the then Inspector General of Police (Investigations) G M Srivastava. He informed Srivastava that though people had alleged that he had been involved in the incident, he was not. The IGP told him that he would inquire into the case and asked Bibek to stay

in Guwahati for about two months. Soon after that, Bibek returned to Tezpur and surrendered.

The Commission had questioned Srivastava in connection with this statement of Bibek. Srivastava said he did not remember if Bibek had come to meet him, but said what Bibek had said in this connection were self contradictory. He said Bibek was not able to even say where his residence was and had claimed that he had met him (Srivastava) at his Bhangagarh residence and also claimed that he had met him in his office, and had pointed out that his residence was located at Ulubari locality. Srivastava suspected that Bibek wanted to escape responsibility by naming a top police official.

While the Commission could not ascertain what happened to the two youths, it mentioned that MLA Brindaban Goswami had said during a statement in the Assembly that they had died. The Commission said it was a case of missing persons and asked the government to provide relief of Rs 5 lakh each to the two families without any delay.*26

Security men guarding the jungles of Assam

shukuri bodo
kantaram bodo

One could feel the air of muted suspense in the Belguri Village of Sonapur under Kamrup district. That day, people were afraid to look at one another. In fact, the barbarous and dastardly act shook the very soul of the village. There was this elderly couple who was full of joie de vivre even at the autumn of their life and who were loved by the entire village. But on March 8, 1999, the people in Belguri woke up to the most shocking news of their life: Kantaram Bodo, 90, and his wife Shukuri Bodo, 80, had been murdered by cold-blooded assailants during the night that had just ended.

how did it happen?

Around 4 am on that fateful day, seven to eight armed men entered the house of Kantaram Bodo and started indiscriminate firing. Bodo and his wife died on the spot and their daughter Rambha was seriously injured. A case was registered (45/99) in the Basistha police station as a case of one more of those secret killings going on in the state.

Why were they killed?

Why were this loving elderly couple killed? The answer is simple. They were the grandparents of Nirmal Bodo alias Teertha Bodo, a top ULFA leader of that time. Rambha Bodo was his mother. According to the Saikia Commission, this incident could be seen as a retaliatory action to the greande attack at Usha Court on March 7. The Usha Court, situated at the heart of Guwahati city, was the den on SULFA leaders. On the evenining of March 7 the generade attack shook the building and the prime target was the leader of the SULFAs J K Mahanta. The Commission found that killing of the Bodo family was a direct retaliation of the greande attack and orchetsted by the SULFAs of the Usha Court.

what did rambha bodo say?

Rambha was admitted to the Gauhati Medical College and later she deposed before the Saikia Commission. On March 8, around 4 am, the entire family got up at the sound of someone opening the door. Rambha saw two men coming inside. Some others followed soon. They wanted to know from Rambha how many persons were in the family. When she said three, they inquired about Nirmal Bodo. They even asked about his brothers. After a while, they sat down at the veranda. When Kantaram Bodo came out of the house, the armed men started firing at him and also on Shukuri who had followed her husband. They fired at Rambha too. She lay unconscious for two hours. When she

regained sense she felt very thirsty. She went to her neighbours for water and narrated the whole incident. Kantaram and Shukuri were dead by then. According to Rambha, the first two men, who entered their house, were aged between 45 and 50. They spoke in Assamese. The other killers were younger. There was no electricity in the house that night. Interestingly, one week before this incident Pradeep Bodo, Nirmal's brother, was put in jail without any reason. That saved his life. She also added that police and military forces often came to their house and inquired about Nirmal. They even threatened to kill him.*27

what did nirmal bodo say?

Nirmal joined ULFA in 1989. He was a trusted lieutenant of the ULFA leadership and was responsible for the Goalpara district unit of the outfit. In 2000, he surrendered. His mother had told him that the killers' faces were covered and she did not see any vehicle used by them. He also complained that the police and military forces often harrassed his family when he was away. In fact, his brother Pradeep was put in jail twice without any fault of his.

police investigation

The police investigation was plain shoddy. The cartridges found at the spot were not sent for forensic and ballistic examinations. There was no informa-

tion on the vehicles used by the killers. The police also did not try to examine if there was any connection between the killings at Usha Court a day before and this incident.

saikia commission report

After examining various angles, the Commission came to the conclusion that this incident was linked to the grenade attack at Usha Court. There is a possibility that the families of Haren Teron and Kantaram Bodo were annihilated just to take revenge upon the attackers of Usha Court. Two top ULFA leaders belonged to these families. The bonhomie between SULFA leaders of Usha Court—Jugal Kishore Sharma, Bhaskar Sharma and Dibakar Deka—and the police came also to the notice of the Commission which believed that the police had previous knowledge about the killings. The Commission also blamed the state Home Department for this incident and severely criticized the role of city police.*28

Surprisingly, the government did not send condolences to the aggrieved family, nor were they compensated. This further indicates that besides SULFA members, police and the government also had a role in these killings.

The Commission recommended financial aid to the kith and kin of the victims.

dwizen haloi

It was January 4, 2001. 1:30 am. The whole of Nalbari town was draped in a wintry cold wave. And then rang the phone of Nalbari Police Station: “There is a firing at the residence of Dwizen Haloi, please come fast.”

The caller was Makhan Haloi, a neighbour of Dwizen Haloi. The officer in-charge of the police station immediately registered case no 106 in the general diary and ordered Sub-Inspector S. Malakar to take necessary action. Malakar jumped into the action and rushed to the spot braving the chill of a January night.

Later, around 6 in the morning, Rajanikanta Haloi, son of Deep Chandra Haloi, resident of Ward No 12, Nalbarai Khata, reached the police station with a complaint. He was yet to come to terms with the reality after the dreadful incident of night that he was witness to. Some unidentified men wearing mask came to the house of Raj Haloi, elder brother of Rajanikanta and asked them to open the door.

On being refused, they forcibly broke open the door and first entered the room of Pulen Haloi, nephew of Dwizen Haloi. A terrified Pulen showed them Dwizen’s room and the killer party swung into action immediately. First they rained bullet on

Dwizen and then they turned to Pulen. Even Arup Talukdar, a guest to the Haloi family that night, was not spared. All three were rushed to hospital once the masked men had left, but only Arup reached Guwahati Medical College Hospital alive. Dwizen died at the spot while Pulen lost the battle with bullets on the way to hospital.

the investigation

What was most shocking was that the gruesome incident happened just one kilometre away from the police station. When Sub-Inspector Malakar reached the spot, Dwizen's body, soaked in blood, was lying on the floor of his bed room. Malakar did not have time to waste. He sent for the photographers to capture the crime spot in films. Soon, Armymen of the 5th JAK Light Regiment, stationed at Gopal Bazar camp, also reached the spot. Five empty cartridges of 9 mm pistol and three empty cartridges of AK47 were recovered. These were sent to the 14th Assam Police Battalion at Doulashal in Barpeta district.

The Saikia Commission report suggests that there was an attempt to protect the accused in the Dwizen Haloi and Pulen Haloi double murder case (No 5/2001) registered at the Nalbari Police Station.

The case was investigated by the officer in-charge of Nalbari Police Station and Sub-Inspector Malakar. The Deputy Superintendent of Police (HQ), Nalbari and Superintendent of Police, Nalbari

supervised the probe. The investigative officers interrogated seven persons initially. They were: Rajanikanta Haloi (he filed the case), Bapan Haloi (he first informed neighbour Makhan Haloi about the incident), Chabin Das, Anil Haloi, Makhan Haloi (he made the first call to the police station) and Bharati Haloi, Dwizen's wife. The team of village defence force, who were patrolling on that fateful night, some SULFA members—Tapan Talukdar, Parameshwar Rajbangshi alias Pinku, Mrigen Haloi, Suren Deka alias Suren Roy, Shailen Roy alias Sharat Deka, Ganesh Kumar (resident of Kandu in Nalbari district) and Dinesh Das (Burhi Nagar in Nalbari district) were also interrogated..

According to Rajnikanta Haloi, the killer gang had 5-6 members and they were all masked. Interestingly, just a day before this incident, unidentified assailant had shot dead SULFA leader Abinash Bordoloi. According to police, this murder had created a panic among the SULFA members in the district and they were all in the police camp for security. So, the investigative officers ruled out the involvement of SULFA members and instead pointed the finger towards ULFA. But the fact remains that Dwizen Haloi was most probably killed as a revenge killing of Abinash Bardoloi and police tried its best to give a colour.

different versions

Bharati Haloi, wife of Dwizen: "On the night of January 3, I along with my husband Dwizen, son

Ankur and daughter Barnali was sleeping in our bed room. Our nephew Pulen was sleeping in another room. Around 1 a.m., we woke up to the sound of motorbikes in our premise. There was a commotion outside and we could feel that the house was surrounded by some 10-12 persons. Soon, someone knocked at the door and started screaming: “Dwizen da, open the door.” When we did not respond they started banging on the door. Pulen, who was still awake, came to our room and asked my husband to open the door. I told the men at the door that Dwizen was not at home. But they did not relent and broke open the door. My husband was much scared and he hid himself under the bed. The gang ransacked the house and finally traced Dwizen down to under the bed. They started firing at him then and there. He was dead instantly. Pulen was shot next and after that the masked left our house only to return soon to fire at Arup. When we were screaming for help Rajnikanta Haloi came running and pulled out Dwizen’s body from under the bed.

why was dwizen haloi targeted?

This was the big question and nobody seemed to have an answer except one person—Dwizen’s wife Bharati. According to her, her husband was killed because she was the elder sister of ULFA leader Raju Baruah. She says that Dwizen was killed with 9 mm pistol and after every bullet was fired a light blinked like an indicator.

Many journalists met her following the murder of her husband. But she was unaware if there was any news published on the incident. She also added that one day before the incident, around 7 O'clock in the evening, Dwizen had seen three-four men of around 25 years of age at Bishnupur, a nearby place. He had gone there to fetch tea. These men who were in two bikes asked Dwizen if he was Pratul Haloi, who was his younger brother. They had informed the police about the incident, but when the cops reached the spot the bikers had already left.

During the investigation, the SULFA members issued a statement to the police: "After our leader Abinash Bordoloi was murdered, we were under police protection for our security. We were in the police camp for SULFAs. So there is no possibility of our involvement in this incident." Interestingly, all the individual statements were written by only one person. And the big question was: Who was addressing Dwizen Haloi as 'Dwizen da' and his wife Bharati as 'bou' in fluent Assamese?" This indicates that the killers knew Haloi very well.

the commisison raised questions about sulfa involvement

- Was Haloi killed because he was related to ULFA leader Raju Barua? There was an effort to probe this link.
- Like other murders, Dwizen and Pulen were

also killed early in the morning.

- The 9 mm pistol and AK47 rifles are usually used by police and military forces.
- The vehicle used in this incident was not used for other killings. It was a planned murder.
- The killers came to Haloi's residence a couple of days ago to locate the address.
- The modus operandi of this incident bears striking resemblance to other such killings and points towards involvement of SULFA members.
- The police did not investigate the case with seriousness.
- The fingerprints found at the crime-spot were not examined and the dog squad was also not used.
- The government did not send any condolence message to the aggrieved family and no financial assistance was provided.*29

dhaneswar rabha
sushila rabha

It was 12 at night. March 9, 1999. Dhaneswar Rabha and his wife Sushila Rabha had little inkling that this would be the night of catastrophe for their family. The couple lived with two small kids in the village Belapara under Rangjuli police station in Goalpara district. No one could ever imagine that this happy-go-lucky family would have enemies who would go to the extent of plotting their murder. But fate has its own quirky ways.

There was a shraddha (a ritual observed by the family members on the 13th day after the death of a person) in Rabha's neighbourhood on March 8. Gudhir Bantho, Dhaneshwar's neighbour, had lost his father Parimal Rabha. As a good neighbour, Rabha, along with his wife, not only attended the shraddha, but took active part in managing things. He knew that it would be a long day and they would come back late. So he left their kids at one of Rabha's brother's house. The couple was relentlessly working there for the whole day. With so many things to manage, they could return home only around 11 at night. It was a tiring day and in no time they were fast asleep.

Bantho's house was just 15 metres away from Rabha's. He was also fast asleep after a hectic day.

There was hardly any sound outside, barring the occasional bark of the village dogs. Suddenly, the dogs started barking furiously as if to alert the villagers about some impending danger. Bantho woke up to the noise and could hear some footsteps outside. May be some Army or police personnel have come to Dhaneswar's house for routine interrogation, Bantho thought. He tried to sleep again. Soon, he heard someone calling Dhaneswar "Uncle, uncle". Initially Dhaneswar did not respond. The unknown visitor kept calling "Uncle, uncle". Finally, Dhaneswar woke up and opened the door. The poor soul might have assumed that some one was in trouble, so was calling him. Little did he realize that trouble was waiting for him.

"Oh, you killed me," that was the scream that came out of Rabha's house as he opened the door. These were the last words of Dhaneswar and soon he became quiet. Next was his wife Sushila. "What did you do, Baba?" she screamed and fell to the bullets.

Hearing these gunshots, Bantho and his wife had come out of their house. They were scared, but the call of duty as a good neighbour did not let them sleep. But when they saw some gun-trotting people come out of Rabha's house, Bantho's wife almost dragged him inside. Once in, Bantho got restless.

He waited till 4 in the morning. Then he threw all his caution out of the window and ran to Dhaneswar's house. But it was too late then. The bullet-ridden bodies of Dhaneswar and Sushila were lying on the floor. There was no way Bantho could help them. The ever-helping couple did not

have anyone around to offer a drop of water in their final moments. At 7-45 in the morning, Bantho filed an FIR in the Rangjuli police station.

why were they killed?

Dhaneswar and Sushila were parents of ULFA leader Manoj Rabha alias Drishti Rajkhowa, one of the top-most ULFA leader still at large and is believed to be in Assam. The couple was often threatened by police and military forces—if Drishti did not return to the mainstream, their family would suffer terrible consequences, and so on. Rabha and his family ignored these threats and eventually paid the price.

who were involved?

Though the Saikia Commission did not get significant clues to pinpoint the killers, it was obvious that the assailants were known to the victims. Before falling to the bullets, Sushila screamed, “What did you do, Baba?” That she addressed the killer as ‘Baba’ proves that she knew the man.

Initial investigations pointed the finger towards SULFA leader Bimal Rabha though he denied even knowing any of the victims. In fact, police reports suggest that Rangjuli police station was hand in glove with the SULFA members. There was allegation of shoddy investigation by the probing officers. Neighbours of Rabha even claim that the police

was dilly-dallying about visiting the crime-spot.

role of police

According to Rohit Rabha, a local journalist, the Rangjuli police station regularly does heavy patrolling around the area under its jurisdiction. Every vehicle plying in this area is thoroughly examined. Surprisingly, on the night of Rabha's murder, the patrol team was taken off. Rohit had accompanied Bantho when the latter went to file the FIR. He informed the officer in-charge of the police station about the movement of two-three Maruti cars and Gypsies in the area. But the policemen did not pay attention to his report. Before this, Rohit had informed the police station about the harassment inflicted by SULFA cadre like Bimal Rabha and Roosvelt Rabha on local people. But no action was ever taken against them. All these clearly suggest that there was a nexus between the police and SULFA.*30

Like several other cases of secret killings, the Rabhas were also murdered at midnight. It was quite obvious that the killers had police protection. The absence of patrol team on the night of murder clearly points a finger in this direction. The police did not take help of any scientific method to conduct the investigation. The government did not send any condolence message to the aggrieved family.

What was the fault of the Rabha couple? That their son had joined the ULFA? If that was their

fault, the parents of the secret killers would be equally guilty. Should they also be killed the same way? Obviously not. This is not the way to curb terrorism. Killing the family members of extremists will not solve the problem. It's just another form of terrorism only.

Bodies of two more victims of secret killings
being taken for cremation

deepak choudhury

January 8, 2000. Around 1-30 am in the night. Village Helasha in Nalbari district. Deenabandhu Choudhury suddenly woke up to the sound of some footsteps outside his house.

Who could be there at this hour?

He got the impression that there were around six-seven persons inside his premise. A sense of danger sent shivers down his spine. Someone was knocking at his door. But he did not respond. Soon the visitors started banging the door. Still he did not respond.

Meanwhile, everybody in the family—his wife Bhadrawati Choudhury, son Deepak Choudhury and daughter-in-law Usha Choudhury—woke up. After a while one of the men at the door said, “Uncle. I’m Bordoloi, please open the door.”

But the Choudhury family decided not to open the door. Finally, the visitors broke open the door. They first looked for Deepak. Scared, he was standing behind his old father. The intruders threw the father aside and hold Deepak by his collar and dragged him to the verandah. The commotion woke up Rimjhim, the 18-months-old daughter of Deepak. She could barely understand what was going to befall on her father.

Horrified, Deepak's mother stood still failing to utter a single word. Deenabandhu tried his best to protect his son. But the old man was no match to the raw power of the visitors. His fervent plea to them, "please don't kill him", fell to deaf ears.

Usha, with Rimjhim clinging to her chest, was trying free her husband from the clutch of the tormentors. "Oh brothers, please don't kill my husband. Please don't make me a widow," she was pleading.

And in this hustle-bustle Rimjhim started crying. But such a heart-breaking scene could not move the killers. They fired bullet after bullet on Deepak in front of his helpless family. With their job done, the killers left the victim's house immediately. Deenabandhu and his wife remained mute spectators. Their son was killed right in front of their eyes.

Usha became hysteric, Rimjhim traumatized. All they could see was Deepak's eyes—sad and apologetic—which wanted to say, "Please forgive me, I could not fulfil my duties towards you."

At 7-25 in the morning Paresh Choudhury met Mahendra Kalita, officer-in-charge of Solmara outpost, and filed an FIR on this gruesome murder. Kalita registered a case (No 95) in the general diary and reported the incident to Bipin Bihari Singh, officer-in-charge of Belshor police station. Singh registered a case (132/2000) and entrusted Kalita with the task of investigating the murder.

Kalita set off on his job immediately. He found five rounds of empty cartridge of AK 47 at the crime spot which was just three-four kilometers away from Sholmara police out post. The body was sent

to Nalbari Civil Hospital for post-mortem. Paresh and Deenabandhu were questioned.

paresh choudhury

Around 1-30 am in the morning, around 20 men came in a Maruti car and two Tata Sumos. They dragged Deepak out of his house and killed him ignoring all the pleas for mercy by his parents and wife.

deenabandhu choudhury

Someone among the killers called me, "Uncle I'm Bordoloi, please open the door." They dragged Deepak out of his bed room and fired many shots at him. Usha's fervent pleas and Rimjhim's cry could not move the beasts.

Deenabandhu alleges:

We informed the Sholmara Police out post at 3-39 in the morning. But police came at 8 in the morning. Soon the district commissioner and superintendent of police of Nalbari district inspected the crime spot. The killers also took away 29 tolas of gold and Rs 11,500 cash. In fact, the police investigation found out that the killers had parked their vehicles near a temple which was one furlong away from Deepak's house.

Based on the version of Deenbandhu that one of the killers introduced him as Bordoloi, the needle of suspicion pointed to SULFA leader Abinash Bordoloi. The police questioned him but was let off when he told them that he had been at the Tapan Deka's Nursing Home from December 7 for his

mother's treatment. The probing officers never verified his statement. Besides, as the nursing home was just 15 kilometres away from Deepak's house, Bordoloi could have easily travelled that distance to commit the crime.

mahendra kalita's version

As Bordoloi was busy with his mother in the nursing home, he could not have possibly murdered Deepak. Besides, the local people also did not mention anything against Bordoloi.

police role

The investigating team questioned only a few people. This clearly gave the impression that the cops were not serious about nabbing the culprits. They did not examine finger prints at the crime spot. The dog squad also was not used. Bordoloi could have been a vital clue in this case. But he was not thoroughly interrogated. There were several SULFA members in that area, but none of them were questioned. All this suggest that there were critical lapses on the part of the probing officers.*31

why was deepak killed?

Deepak was very popular in Helasa. He hardly had any enemy in the village. He mingled with one and all. His only fault was that he was ULFA leader Shasha Choudhury's brother. That was the time when many such killings were carried out under

government patronage. The family members of ULFA leaders were targeted specially. The killers were SULFA members who had the backing of police and government. The motive was to destroy the terrorist outfit. It was assumed that such murders would put pressure on the militants to surrender and join the mainstream. Deepak Choudhury fell victim to such a flawed and ghastly game plan.

summary of the murder

- Deepak was murdered because he was ULFA leader Shasha Choudhury's brother
- He was killed around 1-30 am at night
- The weapon used was AK-47 which is available with the police and army. The killers were adept at handling firearms.
- The probing officers ignored the Tata Sumo used for the crime. The police team, which used to patrol the area every night, was absent on the night of the murder.
- The SULFA members in the area were not questioned. There was no scientific investigation. Even finger prints were not examined.
- The government did not send any condolence message to the government. No financial assistance was offered to Deenabandhu Choudhury's family.

The Saikia Commission instructed the government to offer Rimjhim a financial aid of Rs 5 lakh.

A group of surrendered ULFA militants before the Rangghar, the iconic historical monument of Assam

other cases

subarna rabha

Dhupdhara Police Station, Case No 46/98
Date of incident: 25/8/1998

Subarna Rabha used to live in a small village of Dhupdhara in Goalpara district. He sustained his family through agricultural activities. But destiny had other plans for him.

The date was August 25, 1998. After the day's work Subarna's family had their dinner and went to sleep. The other villagers too were fast asleep. Around 12.30 a.m. there was a knock on Subarna's door. Subarna and his wife Phuleswari Rabha woke up to the knocks and footsteps in the court-yard. Subarna and Phuleswari peeped fearfully through the hole in the wall and saw in the court-yard five to six armed men in army fatigue. Their hearts pounded in some unknown fear. Why had they come? As the knocks on the door continued, Subarna and Phuleswari opened the door with fear. Pointing firearms at them the men said 'chalo, chalo' (move, move) and tried to take them away. On Phuleswari's refusal to go the men hurriedly bundled Subarna onto a vehicle parked in front of

the house and went away. As they left they told Phuleswari not to inform the police as they were taking Subarna to Dhupdhara Police Station.

Hearing Phuleswari's cries the neighbours woke up and gathered in the courtyard of the house. No one could figure out what had happened. Many presumed that the Army had taken Subarna to the police station for some reason. They somehow passed the night and in the morning Phuleswari and the villagers went to Dhupdhara Police Station in search of her husband. The police could not give any information about the whereabouts of Subarna. An FIR was lodged by the family. But as Phuleswari broke down worrying about her husband, someone from the village brought her the extremely tragic news, the news of tremendous danger to the family. Subarna's bullet-riddled body was found on the road in Gathiapara village. Subarna's younger brother and some other villagers identified the body. Nirbhay Rabha, one of Subarna's brothers, was an ULFA member.

It was mentioned in the Saikia panel's report that the crime was an outcome of a conspiracy between SULFA and the police.*32

khagen barman

Hajo Police Station, Case No: 40/2000
Date of incident: 17/3/2000

Farmer Ganesh Barman lived in Singimari village that came under the Hajo Police Station in Kamrup

district. Khagen was his son. Khagen was good at whatever he did, including lending a helping hand to his father in the field. On March 17, 2000, at 6.30 p.m., after the day's work, Khagen was watching TV in the drawing room with his friend Madhav when police officer B K Nath of Hajo Police Station in civilian dress with 15 to 16 other men in police uniform with their faces covered with black cloths, came in. Immediately they asked which one of them was Khagen Barman. As soon as Khagen identified himself some of the men held him by the neck and took him to the backyard. Khagen's father, who in the meantime saw what had happened in the drawing room, earnestly requested the policemen not to drag his son in that manner and instead ask him whatever they had to ask. But instead of giving any importance to him the policemen struck him with a pistol and locked him up in another room. By the time Khagen's mother Nilima Barman came out of the kitchen, another four to five policemen had overpowered Khagen. Although she ran towards her son the policemen told her to keep quiet, threatening to shoot her if she made further noise. Khagen begged for his life from the policemen who had by then become diabolical. A moment later the policemen's firearms roared. Khagen's body was riddled with bullets. Even after that the policemen did not calm down. They emptied a sack containing potatoes, put Khagen's body into it and tied the mouth of the sack with a gamocha hung on the wall and dragging it away, bundled it onto the Gypsy and merged into with the silence of the night, as if nothing had happened.

Appearing before the Saikia Commission, the then police officer of Hajo Police station B K Nath said that although he went to Khagen Barman's house that evening along with the then Superintendent of Police, Kamrup, B K Mishra, he never entered the house. It was Mishra who had gone inside and some time later he could hear gunfire. Mishra told the inquiry panel that on March 17, 2000 during his inspection of Hajo police station, officer Nath had led a police team to Khagen's house upon hearing about an ULFA meeting going on there, and Khagen was killed in the ensuing encounter with the police team. The Saikia panel refrained from blaming any party in this tragic incident.*33

keshab konwar

Golaghat PS, Case No: 230/99
Date of incident: 01/09/1999

The time was 9:15 pm. The date September 1, 1999. Keshab Konwar of Golaghat was at home. Suddenly, Keshab's wife Dipti Konwar heard a vehicle screeching to a halt at the gate. A short while later they heard a heavy knock at the door and someone shouting in Hindi to open the door: "Darwaja kholo, hum log camp se aaye hain." (Open the door. We have come from the camp). Although he had faced such situations because he and his younger brother were human rights activists, Keshab opened the door after some initial reluctance. Dipti too stood behind him holding a

lamp in her hand. They saw two armed masked men in civilian dress. “Saheb gadi mein hain, tumko bulaya hai,” (Sir is in the car. He has called for you) they said and pulled Keshab towards the Gypsy although he was wearing just his lungi. Dipti too followed them with the lamp in her hand. The men bundled Keshab onto the Gypsy and vanished. The next day Golaghat Police informed Dipti that Keshab’s bullet-riddled body was lying at Titabar Police Outpost. Dipti scurried to Titabar. Her need for vermilion was over forever. The body of Keshab, who embraced death with 7/8 AK-47 bullets, was found beside the Kakadunga bridge on Dhodar Ali in Jorhat district. According to local people, on September 1, at 10:30 p.m. they had heard the sound of several rounds of gunfire and the terrifying scream of someone about to die. Keshab’s younger brother Arup Konwar had been associated with the ULFA since 1989, for which Keshab’s family too had to face police harassment from time to time. There were widespread allegations that just because he was the kin of an ULFA member Keshab had to embrace a premature death.

After different witness accounts and circumstantial analysis, the Saikia panel in its report said that jawans of 16 IR Battalion and SULFA members from the Golaghat and Bogorijeng camps who had come in the vehicles that day, were to blame directly for the incident. On the other hand, the panel also held the Golaghat district police administration and the then officer in-charge of Golaghat Police Station Nabin Chandra Gogoi indirectly responsible for the incident.*34

mahesh nath

Goalpara Police Station, Case No 1/99
Date of incident: 1/1/99

Mahesh Nath hailed from Agiya in Goalpara district. He had spent five years in jail after being caught by the army for his alleged links with the ULFA and in connection with a bomb blast. Later on, of course, Mahesh took to teaching and led a normal life. Apart from taking part in various social activities he was also associated with the Manab Adhikar Sangram Samiti (MASS), a human rights body.

On January 1, 1999, the first day of a new year, Mahesh along with two friends Bhagirath Nath from Agiya and Nirmal Biswas from Bapujinagar, Goalpara went to his younger sister Panchami's place in Paikan on a bicycle. On their way back home as they reached Muslimpara, they noticed an Ambassador car and a Maruti Gypsy coming along NH-37 from the direction of Goalpara. After coming near the bicycles the vehicles stopped and some occupants got down and called out for Mahesh's name. They forced Mahesh into one of the vehicles and drove away to Laokhowa in Krishnai. In the direction towards which Mahesh was taken away was a SULFA camp. The kidnappers' consisted of five to six men, each armed with a firearm. For the whole day, Mahesh remained untraced. An FIR was lodged with Krishnai Police Outpost. Mahesh's family kept wondering who could kidnapped the former student leader and why. The same question nagged many others.

The next day on January 2, news came from Agiya Police Outpost that a body had been found at the Krishnai Outpost. Mahesh's uncle and a few others identified the body. It was Mahesh. The Saikia panel mentioned that SULFA men were involved in the incident.*35

jatin phukan, nirmal konwar

Kakatibari Police Station,
Case No 25/99
Date of incident: 24/8/1999

The house of Akan Gogoi of Bogibeel village under Mahmora area in Sivasager district normally remained crowded with young men of the locality. The reason was the carom board. You could always see the boys engrossed in the game. Even on August 24, 1999 there was no exception to this activity. The energetic youths were busy playing carom. Suddenly at 11 o' clock, a group of 20 to 25 armed masked men in civilian clothes raided Gogoi's house shouting, "catch them, catch them." Confronting the armed men who were there with an intent to kill, the youths began running here and there. But the killers who had seemingly gone mad with bestiality neither raised any questions nor gave any chance to the boys to escape and opened indiscriminate fire on them. As a result Nirmal Konwar from Nemuguri Jakhalating Konwargaon and Jatin Phukan from Kukilachuk village under Moran Police Station received several

bullet injuries and closed their eyes forever in the muddy paddy field some 1,200 feet away from Gogoi's house. Why the secret killers killed Nirmal Konwar and Jatin, a first year student of science from the Gargaon College who had given up his studies and was learning driving, remained a mystery.

According to statements made by the local people before the inquiry panel, there was no one in police uniform in the 20 to 25-member gang. Although the police said the youths were killed because of their ULFA links, they could produce no proof to substantiate their claim. After an analysis of all documents related to the killings, eye-witness accounts and circumstantial evidences, the inquiry panel in its report held SULFA leaders Kushal Duori alias Jayanta Hazarika, Mridul Phukan alias Samar Kakati, Sivasagar district police administration and the then officer in-charge of Kakatibari Police Station directly responsible for the cold-blooded killing of the two youths.

tapan das

Goalpara Police Station, Case No 287/99
Date of incident: 28/12/1998

It was around 10.45 p.m. on December 28, 1998. There was no human or vehicular activity on the road on that wintry night. An Ambassador and a Maruti car came and stopped in front of the gate of Sudhir Chandra Das' house in Chandariya village in Goalpara district. The family had just retired for

the day after dinner. The occupants of the two vehicles came and knocked at the door of the house and called out for his son Tapan. The family could not recognise the voices of the visitors and were surprised at someone looking for Tapan so late in the night. But as the men repeatedly called out Tapan's name, he opened the door and came out. Neither he nor his family could imagine what fate waited for him outside.

As Tapan approached the gate, some unknown apprehension made him shudder. When the visitors tried to take him away he refused to go and turned back towards the house. But instantly bullets from the assailants' guns pierced Tapan's body. As a blood-soaked Tapan slumped to the ground beside the gate, the killers hurriedly abandoned the spot. There was utter confusion in Tapan's family. A member of the family was shot dead right in front of the house. No one could console the grief-stricken family. The family informed the police that the occupants of the two vehicles were SULFA members Jagannath Rabha alias Sira, Roosevelt Rabha, Bipul Rabha, Jayanta Rabha alias Topa, Munna Sarma, Dhanpati Medhi and Ratna Das. These SULFA men were then staying in the camp at Bapujinagar in Goalpara. Tapan's younger sister Minoti Das said she had seen these SULFA members killing her brother and leaving the place.*36

The Saikia panel's report mentioned that the killing was an outcome of a conspiracy and secret understanding between the police and SULFA. Moreover, it was mentioned that SULFA men Roosevelt Rabha, Jagannath Sangma, Rinku

Choudhury, Dhanpati Medhi, Munna Sarma, Jayanta Rabha et al., were involved in the killing.

jugal phukan

Kakatibari Police Outpost, Case No 26/99
Date of incident: 10/9/1999

On September 10, 1999, two youths from Mahmora came panting and informed Jugal Phukan's brother Homen Phukan, who lived in Akhoiya village, that someone had killed Jugal. A confused Homen ran to the Sepon police station to inquire about his elder brother. But the police officials expressed ignorance about the matter and asked him to contact the Sivasagar Sadar station. At Sivasagar, Police Station, Homen was told that Jugal's body had been kept for identification at the Sivasagar Civil Hospital situated at Joysagar. Even after Homen identified the body he was not allowed to take it away by the hospital authorities. It was only the next day that Jugal's father received the body after post mortem.

Jugal had on the previous day gone to the residence of Phulomoni Gogoi of Mahmora, who was Jugal's niece. He had gone there and asked for a glass of water. After giving him water Phulmoni asked him to take a seat. Just as she was about to enter the bathroom, 20 to 25 masked and armed men, including army and police personnel in civilian clothes arrived on the spot. The intruders started shouting 'catch him' and went after Jugal. At the

sight of these armed men, a confused Jugal tried to escape through the back door. The men, who were mad to kill Jugal, went after him. Unable to cross over the bamboo fence in the backyard of the house, Jugal had to finally stop there. He raised his hands in the air. But the men showed no mercy on him. With coarse sounds a shower of bullets sprouted from AK-47 rifles and hit Jugal's body. He became lifeless. With bullet injuries on the chest, upper neck, flesh and elbow of the right hand, the youth closed his eyes forever.

After studying all documents related to the killing and listening to witnesses, the Saikia panel held SULFA men Kushal Duwori alias Jayanta Hazarika and Mridul Phukan alias Samar Kakati, the Sivasagar district police administration and the then officer in-charge of Kakatibari responsible for the incident. The Saikia panel said that although the police tried to project Jugal as an ULFA member, there was no proof in that direction. No encounter had taken place and it was a cold-blooded, pre-planned murder. The Commission clearly stated that even if Jugal was involved in certain killings, the police, Army and masked men had no right to kill him.*37

lakheswar rabha

Dispur Police Station, Case No 675/99
Date of incident: 7/7/1998

Thirty-six-year-old Lakheswar Rabha worked in the

Department of Statistics in the Government of Assam's Agriculture Department. He was from Gathiyapara village that came under the Dhupdhara police station in Goalpara district. A former member of the ULFA, he had surrendered at a ceremony at Guwahati Circuit House in 1992 and carefully preserved the 'SULFA certificate' with the signatures of the then Deputy Commissioner and the Superintendent of Police of the Kamrup district. After that he had not kept any contact with either the ULFA or the SULFA. He devotedly concentrated on his job and stayed at a rented house at Jatiya with his elder son Digbijoy Rabha who studied at the Jatiya High School, and his younger brother Troilakya. Lakheswar's wife Seuti stayed with their other two children in their house at Gathiyapara. Normally during the summer holidays Digbijoy used to go and stay with his mother. This year too he went to Gathiyapara. So Lakheswar too had gone to the village. In July, one of his younger brothers Tikhona Rabha became seriously ill and had to be admitted to the Greenland Nursing Home at Azara near Guwahati. Lakheswar returned to his residence in Jatiya to look after his ailing brother.

On July 7, 1999 Lakheswar took dinner for his brother and then left the nursing home. After that his dead body was found lying on the floor of the Dispur police station. Nobody knew how he was killed.

Strangely, Sub-inspector A.R. Barlaskar of the Dispur police station filed an FIR on July 7 at 1.45 in the night. ULFA member Lakheswar Rabha fired upon a police patrol party at Sonaighuli in Kahilipara area and was injured when the police

personnel returned fired, it said. He later succumbed to his injuries at the Guwahati Medical College. Dispur Police washed its hands off the matter by registering a case in this connection.

On the other hand, a post-mortem report said that Lakheswar was shot from very close quarters and one bullet pierced his skull and brain, while another passed through his chest and heart because of which he died instantaneously.

On the basis of statements made by the witnesses and certain proofs, the Saikia panel mentioned in its report that Lakheswar Rabha's death was not an outcome of any encounter, but a case of pre-planned cold-blooded murder. It has been mentioned in the report that the then police officer of Dispur Zone, other police personnel, top officials of the City Police and SULFA members of Dudhnoi area were directly and indirectly responsible for Lakheswar's death.*38

mahendra rai

Rongjuli Police Station, Case No 41/99
Date of incident: 15/9/1999

Mahendra Rai of Rongjuli was engaged in petty contract jobs. In September, he was busy in the contract job that he had secured at Burhaburhi railway station in Goalpara district. Leading a simple life, he would leave home every morning after having his meal prepared by his mother to oversee the ongoing work and return home around seven in the

evening. On September 15, 1999 too his mother Binapani served him food and then bade him good-bye as usual. Mahendra used to do contract jobs jointly with Soneswar Rabha, who belonged to a nearby village. On that day, while leaving for his work, he had taken along with him a labourer too. His mother never knew that Mahendra would bid her bye forever. He did not return from work that evening. Despite an extensive search he remained untraced. The labourer who had accompanied Mahendra said that after leaving him at the market he had seen Mahendra driving away in a Maruti car from Rongjuli Hospital. The labourer had seen the vehicle speeding towards Dudhnoi. Mahendra's mother lodged an FIR with Rongjuli Police Station.

On September 18 the rural folk of Dumni area found a body soaked in blood. The body was later identified as that of Mahendra. One of Mahendra's brothers Montu was an ULFA member. Army and police used to frequently visit Montu's house as they wanted him to surrender.

The Saikia panel's report held SULFA members staying in the then Dudhnoi camp responsible for the murder and also mentioned deep-rooted conspiracy between the police and the SULFA.*39

dinesh chandra rai

Goalpara Police Station, Case No 231/99
Date of incident: 24/12/1999

Dinesh used to live with his elder brother Dhiren in

Agiya. He was unmarried. Their younger brother Moni too lived with them. They were terrified to hear about the secret killings being carried out at different places. Truly, a frightening situation prevailed all over the state. The brothers had even decided not to open the door if someone knocked at night. But fate played a cruel joke on them.

On December 23, 1999 around 1 in the night, the three brothers were terrified by the knocks on their door by about three men. The visitors were heard talking in a local dialect. As the knocking continued for about half an hour, Dinesh opened the door and went out. That proved to be ominous for Dinesh and the family. Those who were inside heard only gunfires, but they could have never imagined that it would be Dinesh who will be killed. Hearing the gunshots the villagers came out, but before they could reach Dinesh's house, the killers had made a good escape. It may be mentioned that Jayanta, one of the sons of Dinesh's elder brother Dhiren Roy, was an ULFA member and there was pressure on the family from various quarters to make him surrender.

The Saikia panel report said that some SULFA men living in the camp who had good relations with the police were involved in the killing too.*40

hemen chandra kalita

Paltanbazar Police Station, Case No 307/99
Date of incident: 24/8/1999

Lohit Chandra Kalita lived at Birubari in Guwahati. After retiring from his service, he opened a PCO both to pass his time and also as a means of income. His elder son Hemen Chandra Kalita too was into this business. He ran a tent house in front of the house.

On August 24, 1999 the entire family had retired for the day after dinner. Just before 1 in the night, Hemen completed his work, had his food and went to bed. Soon thereafter, someone started calling out his name loudly from the bamboo fence outside. Lohit Kalita woke up after hearing the voice. Wondering who it could be so late in the night; Lohit did not let his son go out and instead opened the front door himself and peeped outside. He could see a group of men, seemingly armed, standing on the outer side of the bamboo fence. Kalita shut the door in terror. Secret killings had then stalked the entire state of Assam. There was no knowing when someone would be killed or abducted. Finding the door closed, the armed men went to the back of the compound, broke down the bamboo fence and the back door of the house and entered the drawing room. They told Lohit to call his son Hemen, and told him that they wanted to discuss something with him. But he could not recognise the armed men. He could not ascertain whether they were policemen or members of SULFA or ULFA. They talked among themselves for about five minutes and then one of them asked for the cupboard key and went to the next room. Hurriedly the youth pocketed the ornaments of Lohit's wife and cash. One of his accomplices then cried out, "Hey, have you been sent to

fetch someone or valuables?" In the meantime, Hemen woke up and entered the drawing room. As the armed youth too moved away from the cupboard and went to the drawing room, Lohit followed him. But the men pushed him back and closed the drawing room door. Finding no other way out Lohit tried to enter the drawing room from outside, but the men had in the meantime taken Hemen away towards the gate. Lohit earnestly requested them to release his son as he suffered from asthma. The armed men warned Lohit not to call anyone. The men vanished in the darkness with Hemen as a captive. Since then, there has been no trace of Hemen, dead or alive.

After studying witness accounts and circumstantial evidences, the Saikia panel mentioned in its report that the killing was an outcome of a secret understanding between the SULFA and police. The then top officials of Guwahati City Police and the officers-in-charge of Paltanbazar and Birubari police stations were held directly or indirectly responsible for abetting the killers.

sapan patgiri

Goalpara Police Station, Case No 79/99
Date of incident: 11/5/1999

On May 11, 1999, as usual, around 7 p.m. a youth named Sapan Patgiri went to the Durga Mandir market in Baladmari for some shopping. It was a place from where the family shopped usually.

Suddenly, some armed men forced Sapan into a Maruti Van and quickly disappeared from the scene. According to the people present at the spot, the men were armed with weapons like AK-47. And because they were armed nobody could dare to save Sapan. The incident caused a hue and cry in the area. Someone informed Sapan's family. Along with the other members of his family, Sapan's mother Renu Patgiri went to the scene of the crime. A search began all around. No one had any clue about Sapan's abduction. The family plunged into a deep unknown fear. An FIR was lodged in the police station. People in the market informed Sapan's uncle Siddhi Patgiri that the occupants of the Maruti Van included Goalpara-based SULFA members Roosevelt Rabha, Jagannath Sangma, Bipul Rabha, Dhanpati Medhi and Jayanta Rabha. Siddhi Patgiri even informed the police about it. On May 12, Sapan's body was found under a culvert in Salmara village that came under the Dudhnoi police station. His body bore clear marks of brutal torture. Sapan's uncle Siddhinath Patgiri was actively associated with the Manab Adhikar Sangram Samiti.

It was mentioned in the Saikia panel report that SULFA men carried out the killing with direct and indirect cooperation and encouragement from the police administration.*41

lakhan rabha

Goalpara Police Station, Case No 76/2000
Date of incident: 10/12/2000

Who could have ever imagined that December 10, 2000 would be the most fateful day for Lakhan Rabha and his family? That day around 11 p.m., after the family had retired for the day after the evening meal, there were knocks on the door. Lakhan's uncle Narpati Rabha held the torch in his hand. He opened the door to find 10 to 12 young men, with their faces covered with black clothes. The youths entered the house and after checking all the inmates sleeping in different rooms, found Lakhan and took him away almost forcibly to guide them to somebody's house. They assured the family that Lakhan would be able to return home after leading them to the place they were seeking. The family expected him to return. They kept awake the whole night, but Lakhan did not return. No one brought any news about him either. In the morning the family started looking for him, when two men from Belpara came and informed them that a dead body was lying on the road at Belpara. Lakhan's brother Sankardhar went to the spot with some of the villagers and saw that the body was that of his brother. The family came to know later that Lakhan was killed because one of his brothers Shatrughna Rabha was an ULFA member.

Besides accusing Goalpara-based SULFA members to be involvement in the crime, the Saikia panel also criticised the role played by the police administration in the matter.

nripen duarah and deep bora

Simaluguri Police Station,
Case No 107, 108/98
Date of incident: 6/10/1998

On October 6, 1998 some unknown men abducted Nripen Duarah form Khonamukh Mazgaon in Sivasagar district from Mazgaon Chapori Chuba area. Although Nripen's family informed the Gaurisagar police station about the matter, it made no inquiries then. The next day, some villagers brought the news that two dead bodies had been recovered in Geleky. Nripen's family came to know that the bodies had in the meantime been sent to Sivasagar Civil Hospital for post mortem. Later the family identified one of the bodies as that of Nripen. The neck bore deep cut marks made with sharp weapons. The body was found in Lakuwa Chariali.

On the other hand, the other body found in Salapathar was identified as that of Deep Bora, son of Jogeswar Bora of No 1 Hatimora Sivasagaria village (North Lakhimpur).

The Saikia panel report mentioned that SULFA member Jayanta Hazarika alias Kushal Duori, who was under the protection of the Sivasagar district police, and some other SULFA men under him were directly and indirectly involved in the killing of the two youths.*43

syed abdul munim and md abidur rahman

Teok Police Station,
Case No 30/2000
Date of incident: 25/3/2000

This is the incident of the Kakajan Arandhara village in Jorhat district. On the night of March 25, 2000 terror descended on two families of this village. Syed Abdul Munim was involved in the iron and steel business. The small family pulled on well with the business. About four days prior to March 25, SULFA member Pavan Lahan from Kakajan had come to Abdul's house and threatened him over some matter. On the night of March 25 Abdul retired for the day with his wife and son. As the night grew the family woke up to the sound of vehicles in front of the house and heavy knocks on the door. As Abdul's wife Sabila switched on the light on the verandah, about 10 to 12 masked men dressed in army and police uniform and civilian dresses ordered in rough voices for the light to be switched off. After Abdul and Sabila came out, the armed men woke up the other members of the family and immobilised them by hitting them with the AK-47 rifles and guns.

Sabila broke down crying and fell at the feet of a Hindi-speaking man who looked like the leader. But the cruel-hearted armed men rampaged the entire house. They had in the meantime surrounded Abdul. Sabila saw that apart from those who entered the house there were more men standing in the courtyard with their faces and bodies cov-

ered. “You must accompany us,” they said to Abdul. Abdul ran his hand over his son’s head, “Son, this is our last meeting, I am leaving,” he said and went out with the armed men. A distraught Sabila went after them and saw Abdul getting onto a Shaktiman-type army vehicle parked a little distance away. Abdul never returned to share his joys and sorrows with Sabila.

Nazir Mohammad’s house too was in Kakajan Arandhara village. On the night of March 25 the entire family was fast asleep. Around 2.45 a.m. 15 to 20 men in army uniform turned up at the house. Nazir woke up and opened the door himself. Two army men and a few others in civilian dresses with his face covered enquired in Hindi about the members of the family. They then woke up 24-year-old Abidur who was sleeping in a room towards the verandah and pulled him by the hand towards a vehicle parked in front of the gate. As they did so they bundled the other members of the family into the house and latched the door from outside. Nazir forced open the door and saw that the killers had bundled Abidur into a jeep and a small army vehicle and driven away fast towards the east. Abidur never returned home.

After analysing accounts of various witnesses the Saikia panel mentioned that SULFA men Jatin Gogoi from Bokakhat, Pranab Lahan from Kakajan and a policeman (Abdul’s wife Sabila recognised him after the black cloth with which he had covered his face, accidentally fell off) of Lahdoigarh Police Outpost were directly or indirectly involved in the abduction and killing incidents. Moreover, Teok

police station and Jorhat police administration were charged with abetting the killers.*44

manik chandra kalita

Nalbari Police Station, Case No 355/99
Date of incident: 3/9/2000

Manik Kalita's saw mill was situated towards the south of the National Highway to the west of Chakra Kalita's petrol depot in Kalakuchi (Narayanpur) in Nalbari district. Manik Kalita was also a first class contractor with the PWD of the Assam Government. September 3, 2000 was a Sunday. Around 2 p.m. after lunch he left for Guwahati along with his contractor-friend Tapan Deka. After finishing his work there, he returned to Nalbari and entered his saw mill at 8.30 p.m. Soon he saw two men, one dressed in khaki and the other in civilian dress approaching him. They pointed towards a white Tata Sumo and said, "Sir wants to see you." Without giving the matter a second thought Kalita went near the vehicle, when suddenly the men bundled him into the car and fled away. Kalita has remained untraceable ever since. A few days after his abduction a phone call was made from Shillong to the family demanding Rs 5 lakh and another call from Tamulpur asking for Rs 3 lakh, which turned out to be hoax calls.

On the basis of accounts of various witnesses, the Saikia panel mentioned the direct or indirect involvement of SULFA member Dibakar Deka,

policemen from Nalbari police camp and other SULFA members from Guwahati in Kalita's abduction and killing. Moreover, pointing to the SULFA-police nexus, the panel held responsible the then Nalbari police administration, the then officer incharge of Nalbari Police Station and the investigating officer for the incident. *45

parameswar das

Hajo Police Station, Case No 107/99
Palashbari Police Station, Case No 93/99
Date of incident: 23/6/1999

On June 22, 1999 at midnight there were knocks on the doors of Parameswar Das of Kulhati in Hajo in Kamrup district. The village had fallen silent by then. Upon hearing the knocks, Parameswar and his wife Malati were startled. Someone called from outside, "Das da (elder brother), we have come from the hills, help us." Parameswar opened the door fearfully. Standing outside were 10 to 12 men with their faces covered in black clothes. Parameswar and Malati became speechless. Within moments the men took Parameswar away at gun-point. There was utter confusion in the family. On June 24, Parameswar's headless body was discovered beside the gate of Dakhala embankment on the southern bank of the Brahmaputra. A little downstream, his head was found stuck to a rock on the riverbank. On the body could be found marks of brutal torture by sharp weapons. An inno-

cent man was taken away from his sleep and beheaded. At the spot where Parameswar's body was found, the local people had seen two Gypsies with many occupants. It may be mentioned that the police had once imprisoned Parameswar for having links with the ULFA. After that Parameswar got married and led a simple life, doing farming for a living.

Although the Saikia panel held the then officer in-charge of the Hajo police station Ajmal Ali and MLA Nurul Hssain indirectly responsible for the murder, it was not clear who was directly involved in it.*46

hiren deka

Sarupathar Police Station, Case No 230/99
Date of incident: 18/8/1999

Hiren Deka made his living by running a small shop at Sarupathar Block Tiniali. The date was August 19, 1999. Four men who came in a black Maruti Gypsy enquired about his elder brother Mukut Deka. Mukut Deka was a SULFA leader familiar to all in the locality. He was earlier associated with the ULFA's publicity wing. It was only about two years after the death of his brother that he surrendered before the then Governor and Chief Minister. He revealed that before surrendering security personnel used to come frequently to his house and put pressure on his family to make him surrender. But since the family had no contact number they could

not contact him. Although he returned to the mainstream it was already too late. Mukut's brother Hiren had too pay the price through his life.

The killers had forcibly taken Hiren away. Since then he remained untraceable. The Saikia panel report held SULFA men of Golaghat and Bogorijeng directly responsible and the district police administration indirectly responsible for the incident.*47

diganta das

Dimow Police Station, Case No 121/98
Date of incident: 7/11/1998

Diganta belonged to a simple family of Dimow in Upper Assam. He eked out his living trading in fish. He would catch fish in the fishery, sell them and run his family with whatever profit he made. Despite the family suffering from poverty, his wife Arati and four children lived happily. An enterprising youth of the area, Diganta was also an active member of the Dimow Min Samabay Samiti (Fish Cooperative Society). But on November 7, 1998, dreams of the family were shattered. No one had ever imagined that Diganta would be killed on the bank of the fishery where he used to go for fishing usually. Initially someone informed Arati that some people had slain someone towards the fishery, but when she came to know that the victim was her husband she was shell-shocked. A group of 8 to 9 men who had come in a jeep had killed Diganta.

It was mentioned in the Saikia panel report that some SULFA members of the district led by Jayanta Hazarika alias Kushal Duori who was under the protection of Sivasagar police, were directly or indirectly involved in the killing. But the report also mentioned that Duori had denied the charges in his statement before the Commission.*48

bimalendu bhakat

Dudhnoi Police Station, Case No 42/99
Date of incident: 10/5/1999

May 10, 1999. The was dusk. Beside National Highway 37 that passed through Dudhnoi town in Goalpara district, just in front of Dudhnoi High School, was the furniture shop owned by Hemendranath Bhakat. His younger brother Bimalendu Bhakat too used to help him out in the shop. That day, as usual, Bimalendu was in the shop. Suddenly, two armed miscreants came in a Maruti Van without a number plate and forced him into the vehicle. They immediately drove away towards Guwahati. It was then 7.30 p.m. None of the employees of the shop were present at time because they all had gone out to a stall nearby to have tea. Bimalendu was alone in the shop. As he was being taken away in the vehicle without head-lights, he offered resistance with all his might. Since that day no one has ever seen Bimalendu again.

After analysing the accounts of all witness and

the proofs available, the Saikia panel concluded that SULFA members Roosevelt Rabha, Jayanta Rabha alias Tapa, Jagannath Sangma alias Sira, Anil Saikia, the then officer in-charge of Dudhnoi Police Station and the district police administration were directly or indirectly involved in the abduction and killing of Bimalendu.*49

khagen das

Nalbari Police Station, Case No 175/99
Date of incident: 18/6/1999

This incident happened on June 18, 1999. Khagen, son of late Upen Das of Khudra Chenikuchi village in Nalbari district, went to Post Office Chowk at 4:20 in the afternoon. His intention was to inquire about the return of his younger brother and sister from Patna where they had gone for treatment. He also wanted to inquire about the progress of the treatment. After talking to his siblings on the phone Khagen felt reassured and walked back home. He never knew that destiny would take him away to such a place from where he would never be able to return to his beloved family. He was nearing home when suddenly a Maruti Gypsy at a high speed screeched to a halt beside him. Immediately a few armed masked men got down and overpowered Khagen. They forced him into the rear of the Gypsy and left the place in a hurry. Before he could realise what was happening, his hands were tied up and he was blindfolded. On their way the secret killers

also kidnapped another youth named Ajay Talukdar. The rest of the story remained a heart-rending memory for Khagen's family. He was never traced. The other abducted youth Ajay Talukdar who was confined in the Usha Court in Guwahati, somehow managed to escape due to the carelessness of his captors.*50

On the basis of accounts of different eye witnesses and the proofs presented, the Saikia panel held SULFA leader Dibakar Deka, who stayed in Nalbari police headquarters, and other SULFA men as well as SULFA members based at the Usha Court in Guwahati directly or indirectly responsible for the abduction and murder of Khagen Das. Moreover, the then officer-in-charge of Nalbari Police Station, the Home Minister and the district police administration had assisted the killers, the panel mentioned.

pratap kalita

Rangiya Police Station, Case No 273/2000
Date of incident: 3/12/2000

Pratap Kalita of Rangiya was a retired railway employee. On December 2, 2000 in the afternoon the officer-in-charge of the Rangiya police station, the then SDPO and the then Kamrup Superintendent of Police L R Bishnoi went to Kalita's house. Without raising any questions they started beating Kalita. On being asked the reason for being beaten, the officials rebuked him and

said, “Bring back your ULFA son Khagen. If you cannot hand him over to us then we will wipe out your entire family.” After assaulting Kalita and terrifying his family, the police officials threatened to kill Kalita if he fails to hand over his son to them within 24 hours. That day around midnight a team of 15 to 20 armed policemen with their faces covered, came to his house and took him away. The fervent pleas of the other members of the family could not melt their hearts. Early next morning Kalita’s wife Bimala Kalita scurried to the Rangiya police station to inquire about her husband. But she did not find him there. As she prepared to return home dejected around 8 a.m., a dead body lying on the roadside along the National Highway 31 was brought to the police station. Bimala removed the cover from the body to discover that the body was of her husband’s. The body bore two bullet injuries. The police had killed him in a completely pre-planned manner.*51

On the basis of the accounts of various witnesses the Saikia panel held the policemen and SULFA members who had gone to Pratap Kalita’s house that night, the Kamrup district police administration, the then Rangiya SDPO and the officer incharge of the Rangiya police station directly or indirectly responsible for the incident.

amrit bhuyan

Namti Police Station, Case No 646/99
Date of incident: 7/7/1999

The death of Amrit Bhuyan of Kalugaon-Gayangaon that came under the Joysagar Police Outpost in Sivasagar district had not taken place in any secluded spot. He was the youngest of the four sons of Phulmai Bora. A brilliant student, Amrit was an ULFA member and worked actively in the area. On July 8, 1999 news came to Amrit's elder brother Apurba in Gayangaon that Amrit's body had been foumd at the Namti police station. Apurba could see that his brother had been beaten to death, with his hands, feet and ribs broken. That day itself news had spread through the newspapers that the villagers of Kukurasuwagaon, 13 kilometres from Gayangaon, had beaten Amrit to death. Overcoming many obstacles Apurba retrieved Amrit's body and brought it home. Amrit's last rites were performed in the village cremation ground. Before the funeral pyre had burned out, several people from Kukurasuwagaon came and informed Amrit's family that the news appearing in the newspapers was totally false. No one from their village had killed Amrit. In fact, he was brutally tortured and killed after being tied to a post in the cowshed of Elementary Education Officer Lalit Chandra Dutta of Kheluakhanda, Kukurasuwagaon by Dutta's younger brother, SULFA member Parama Dutta with the help of other SULFA members. Later, the disfigured body of Amrit was recovered from a paddy field some distance away from Lalit Dutta's house. Although a case was registered at the Namti police station, the police could never track down the killers and punish them. Instead, the police absolved itself of all responsibility by registering Amrit's name as a dacoit.

After studying all relevant points and documents the Saikia panel rejected the false case registered in respect of Amrit's murder and mentioned that SULFA men Lalit Chandra Dutta, Parama Dutta, Amulya Dutta, Dipak Dutta and others were directly or indirectly involved in the killing of Amrit Phukan. The then officer-in-charge of Namti PS, Pradip Kumar Dutta, and the Sivasagar Superintendent of Police along with the police administration were also indicted in the case. *52

bijit dutta, hemanta gogoi, jogeswar gogoi and umesh das

Haluwating Police Outpost, Case No 51/98
Date of incident: 23/9/1998

The people of the area had woken up to the chirping of birds that day. The womenfolk set free the domestic fowl from their cages. The newly married daughters-in-law got busy sweeping the floors. The cowherds led the cattle to graze in the fields. As usual a cowherd named Gandhiram Koiri led the cattle for grazing the field early in the morning. But that day he came across a ghastly sight. In a small roadside ditch lay four dead bodies soaked in blood. Petrified, he left the cattle where they were and ran back home screaming. He gave the news to Ramswami Pandav, watchman of the tea garden. It was March 23, 1998. The incident took place at Tiphuk Tea Estate. After hearing it from Gandhiram, Pandav informed the tea garden manager A M Choudhury. Choudhury in turn told the

secretary of the village defence party Moina Orang. Orang went to the spot immediately. He saw the four bullet-riddled bodies lying in a ditch of the tea garden. One of the deceased was about 25 years of age, another about 28, a third was 20 and the fourth one was about 30-year old. Orang initially informed Haluwating Police Outpost. Besides, the tea garden manager Choudhury too had gone to the police outpost.

Immediately, the officer-in-charge of the outpost Phuleswar Gogoi arrived at the spot. The bodies were retrieved from the spot. Later, with the help of relatives the bodies were identified as those of Hemanta Gogoi alias Bijit Saikia, Jogeswar Gogoi alias Jibon Mohan, Umesh Das alias Umesh Hazarika and Bijit Dutta alias Bedanta Shyam Saikia.

As mentioned in the Saikia panel report, Bijit Dutta, Hemanta Gogoi, Jogeswar Gogoi and Umesh Das were killed simply because they were members of ULFA militants' families. It has been mentioned in the report that SULFA men were involved in the crime.*53

(This chapter has been compiled and prepared by Biman Arandhara)

Police trying to stop an angry demonstration against secret killings

Relatives mourning the death of a secret killing victim

epilogue

Angry protestors trying to storm DM's office with the bodies of victims of secret killings

Justice K. N. Saikia, the man who headed the commisison

The secret killing of Assam was a state-sponsored weapon attempting to tame the militants. It was initially successful but soon it went out of control and in the process took the AGP government with it.

However, long before the Saikia Commission looked into 11 major cases and 24 other smaller cases, Assam saw two major murders which laid the foundation for the future secret killings.

The first murder was of noted journalist and human rights activist Parag Das and the second one was of Mitradev Mahanta. Delhi School of Economics alumni Parag Das was a banker-turned-journalist. He rose to become one of the most loved editor of Assam with a cult following. He openly supported the cause of the ULFA and his writings were hugely popular. He was editing the highly popular Assamese newspaper Asomiya Pratidin when he was killed by unknown militants on May 17, 1996. It was widely believed that his writings were damaging the business interests of the surrendered ULFA members and also regularly provoked ULFA to go after the SULFAs.

A CBI inquiry was conducted; most of the culprits were identified. Only recently, some of the school children of the Asom Jaitya Vidyalaya, who were present in the school courtyard and witnessed the actual killing, identified in court some of those

involved. But the case is nowhere near conclusion and most of those involved in the killing were eliminated by the ULFA, who considered Parag Das as an ideologue.

Then, there was the Mitradev Mahanta murder. Although the root cause of the murder and the culprits were never found or never sought to be found, the fact remains that he was shot dead just next to his home on September 12, 1997. A successful businessman and publisher of the weekly magazine "Pratyay", his killing was widely considered a corollary to the Parag Das killing.

Many suspected that the two murders had some links but that was never established and no proper inquiry was ever conducted. In fact, Mahanta's father refused to file a FIR also. The police did file a suo moto FIR but it did not progress far. However, the CBI did a thorough inquiry into the killing of Parag Das and found some links to Mahanta's murder.

That was the beginning of the secret killing. That was also the genesis of the Secret Killing, which took a full-fledged organized shape between 1998-2001. It went on unabated till Prafulla Kumar Mahanta and the AGP were unseated by the people of Assam in 2001.

During this period, braving enormous physical risk, local media played a decisive role to mould the public opinion. The killings were taking place blatantly defying all laws of the land. Everyone knew who were behind these killings. Any sensible person knew that the SULFA was used by the security forces.

The game plan of the security forces, or more precisely of a select group of top Assam Police officers, was to engage ULFA with SULFAs and extract

results from both sides. Such was the complete disrespect for the rule of the law that none of the killings were properly investigated and it seemed that everyone in the police administration colluded with the killers. They were in turn well supported and instructed by the political masters.

It is not yet clear why the AGP, who has always been considered softer to ULFA than other parties, because of historical similarties, turned completely against the militants. There was no doubt that NDA government was pressurizing the AGP to act decisively. Perhaps it was a Frankenstein, which went out of control. The counter-insurgency strategists also found it the most suitable way of combating the growing clouts of ULFA.

But it backfired and burnt everyone in the process. The entire AGP was wiped off and for two successive Assembly elections they had to sit in the Opposition bench as the episode of secret killings continued to haunt them and the Congress cleverly used it to their political advantage.

As far as the Saikia Commission was concerned, there were four reports. The first report was submitted on August 21, 2006. Justice Saikia had been entrusted with the responsibilities vide notification no PLA 331\2005\1 on August, 16, 2005. Initially the notification included 11 main cases, which formed the core of the secret killing episode. Amongst them were the murders of ULFA Chairman Aurobindo Rajkhowa's elder brother, ULFA Publicity Secretary Mithinga Daimary's family, ULFA leader Subhash Sharma's relatives, ULFA Foreign Secretary Sasha Choudhury's brother and of Dwizen Haloi and Phulen Haloi.

Later, through another notification (PLA331\2005\2) dated September 3, 2005, 24

more cases between 1998 and 2001 were also included. The second notification also included the most sensational of all cases, the kidnapping of AJYCP leader Ananta Kalita and his miraculous escape from death. The Commission submitted its first report on August 28, 2006. It contained the first six cases and Ananta Kalita's case.

The Assam Government gave five responsibilities to the Commission. They were

- Identify the nature of the killings.
- Identify culprits and associates.
- Identify any conspiracy behind the killings.
- Identify those responsible for direct and indirect killings.
- Suggest measures how to stop all such killings in future.

After almost 30 months, the report of the Commission found similarities among all these killings and also suggested some measures to stop future occurrences. The similarities are:

- In almost all the killings, the victims were related to senior leaders of the ULFA. All the police inquiries met with dead end and there were no arrests, no inquiries and every killing was hushed up.
- Almost all the killings took place around midnight so that assailants could escape easily and could not be identified.
- In all the killings, assailants covered their face with black hood. However, except Ananta Kalita, no body survived to tell the final moments of the killings and the nature of killings.
- In most of the killings .32 and .38 bore weapons

were used. Both of them are prohibited and can be used only by security forces.

- The recovered materials like cartridges and weapons were not sent to forensic laboratories for ballistic tests. Even if those, which were sent, were sent very late and often reports were never collected.
- The vehicles used in the killings were either Maruti Van or Tata Sumo. They did not have number plates or had them covered. None of the vehicles were seized by police. It gives birth to suspicion that government vehicles were used for the killings.
- In some areas the regular police patrol party went missing mysteriously on that particular night when the secret killing took place.
- Army was involved everywhere. There was proof of collusion between Assam Police and SULFA. An extra-judicial killing force was created in the form of the SULFA. The modus operandi was to first pressurize the relatives to persuade the ULFA leaders to surrender. When it failed, their activities were monitored closely and one fine night they were eliminated.
- There was strong public resentment against the Unified Command Structure and the then chief minister Prafulla Kumar Mahanta.
- There was initially a murmur and then SULFA members were openly accused of carrying out those ghastly murders. There were clues but they were never investigated properly.
- There was no use of modern and scientific methods of inquiry like snifter dogs, ballistic and forensic examination of finger prints and empty cartridges recovered at the crime spot. There state government did not send any condolence

message to any of the victim's families.

- No monetary compensation was offered to any of the families of the victims. They were eliminated just because they were related to ULFA leaders.
- There was enough indication that the entire episode was remote controlled by someone and that could be the then Home Minister of Assam who happened to be Prafulla Kumar Mahanta.

The Saikia Commission did give some suggestions, many of them vague and simply not implementable. It advocated for the withdrawal of the Unified Command Structure and Army from the state. Both are highly impractical as Assam police is completely incompetent to handle any counter-insurgency operation on its own.

The commission also talked about declaring ceasefire with ULFA and then extending it for six months at a stretch for lasting peace in the state. But that is not on the cards, at least, for now.

The Saikia Commission submitted the second supplementary with eight cases on December 12, 2006 while the third part, which had 10 cases, was submitted on March 5, 2007. The final part was submitted on August 8, 2007 and Chief Minister Tarun Gogoi tabled the reports on the floor of the Assam Assembly on November 11, 2007.

The Chief Minister also placed the preliminary report of the Justice J N Sharma Commission of Inquiry, findings of which was rejected by the State Government. The report was rejected as it could not pinpoint the culprit. The Commission blamed non-cooperation from the police force as well as bureaucrats.

The report did kick up a storm in Assam's politi-

cal firmament but it did not last long. The Congress government did drum up the Commission findings which indicted Prafulla Kumar Mahanta who headed the AGP government then and his minister Nurul Haque—both now MLAs of the House—to knock a killer punch to the Opposition.

But by April 2008, the findings of Saikia Commission faded from public memory. It could not cause any serious damage to the Opposition. The State Government, as per the recommendation of the Saikia Commission, did start inquiry into all the 11 cases and, in fact, formed a committee also. Besides, all the victims' families have been given Rs 3 lakh each.

But the way the Congress government has been handling the issue, it is more than clear that they would be using it more as a political weapon against its Opposition rather than taking it to a logical conclusion.

It is also true that there was a school of thought that the tit-for-tat tactic adopted by the AGP regime to teach ULFA a lesson, was a right one, as the militant group had always been killing innocent people.

ULFA did get a taste of its own medicine. But in the end, state-sponsored extra-judicial killings in any civilized society can never be justified.

The report demoralized the police force, specially those officers who are keen to take ULFA head on. The report has ensured that there would be no systematic confrontation with ULFA anymore and all the counter-insurgency operation will be basically more of accidental or incidental than a planned strategy. No officer will go out if its way to confront them.

There is a strong suspicion that the Congress had some sort of understanding with the ULFA before the 2001 Assembly elections and promised

an inquiry into the secret killings after coming to power.

Using favourable public opinion, created by a pliant pro-ULFA media, the Congress stormed to power wiping out the AGP in 2001. It did stop secret killings but, in the process, broke the entire fighting spirit of Assam Police, who now just want to swim with the system doing the mundane job of policing and leaving the counter-insurgency operation to the Army.

As the Tarun Gogoi was about to celebrate the second year of his second an innocent Namghoria Dulen Barua was shot dead in a similar manner in Himpora Village near Moran on April 23, 2008.

What is ironical that at the time of this book going to press, the same Congress government has announced the formation of an "Auxiliary force" of the surrendered militants to take on militants.

According to Chief Minister Tarun Gogoi, it would be the size of a battalion, i.e, 1,000 strong, and can be deployed anywhere in the state for specific purpose for a specific time period.

When confronted, whether it would be another force of secret killers, the Chief Minister only said, "We will have tighter control."

Who knows… it may be another Frankenstein in the making. Only time will say.

endnotes

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2. Report of Justice K N Saikia Commission of Inquiry on the first group of seven cases on Secret Killing, Pg 80
3. Report of Justice K N Saikia Commission of Inquiry on the first group of seven cases on Secret Killing, Pg 80-88
4. Report of Justice K N Saikia Commission of Inquiry on the first group of seven cases on Secret Killing, Pg 79-93
5. The Second Supplementary Report of Justice K N Saikia commisison of inquiry on the second group of ten cases, Pg no 136-137
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7. Report of Justice K N Saikia Commission of Inquiry on the first group of seven cases on Secret Killing, Pg 127-129
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24. Report of Justice K N Saikia Commission of Inquiry on the first group of seven cases on Secret Killing, Pg No 96,105
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26. Report of Justice K N Saikia Commission of Inquiry on the first group of seven cases on Secret Killing, Pg No 104-107
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